

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31616 of 2022**

Arising Out of PS. Case No.-220 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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SHASHI RANJAN AZAD SON OF KAMESHWAR SHARMA R/O
MOHALLA- RASTRIYA GANJ, BIRLA COLONY, P.S.-
PHULWARISHARIF, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 11-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Excise Case
No. 220 of 2022 registered for the offence under Section 30(a), 56(b)
of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 09.04.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was total
recovery of 69.750 litres of illicit country made foreign liquor.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of illicit liquor was made from a car and



petitioner was the driver of the said vehicle, as such it cannot be said to be recovered from the conscious physical possession of the petitioner. It is submitted that nothing surfaced during the course of investigation, which may suggest that petitioner was aware of the illegal consignment of illicit liquor loaded in the vehicle. It has further been submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery has not been made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Excise Case No. 220 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Judge No. 3, Gaya subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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Minu/-



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