

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30550 of 2022

Arising Out of PS. Case No.-68 Year-2020 Thana- BIKRAM District- Patna

Rajesh Kumar son of Late Indar Singh Resident of Village - Yog Nagar
(Fatehabad), P.S. - Fatehabad, District - Fatehabad (Haryana).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

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

The petitioner seeks bail in connection with Vikram
P.S. Case No. 68 of 2020 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.02.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 4258.800 litres of IMFL/country made liquor from
the Truck bearing registration no.-HR39B9087.



Learned counsel appearing on behalf of the petitioner submitted that as certain personal documents like Aadhar card, Pan card, etc. was found in the alleged truck from, where illicit liquor was recovered, on this sole account, the petitioner was arrested after two years of recovery. It is also submitted that the petitioner is a man of clean antecedent and admittedly, this is not a case of recovery from the physical possession of the petitioner. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that illicit liquor was recovered from the physical possession of the petitioner, as per seizure list.

Considering the facts and circumstances as mentioned above, as there is no recovery of illicit liquor from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Vikram P.S. Case No. -68 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Special Judge, Excise,
Danapur(Patna)/concerned court, subject to the conditions as
mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

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