

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30927 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- BALIGAON District- Vaishali

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Guddu Sah S/o Naresh Sah Resident of Village- Bhusahi, P.O. Beladum, P.S.-
Baligaun, District- Vaishali, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shyam Anand, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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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 Baligoun
P.S. Case No. 01 of 2022 registered for the offence under
Sections 30(a), 32(2), 41(1) of the Bihar Prohibition and Excise
Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.04.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 142.560 litres of IMFL/country made liquor from



the house of the co-accused.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the house of the co-accused Ramu Ram and apparently, as per seizure list, it is not a case of recovery from physical possession of the petitioner. It is also submitted that the petitioner is a man of clean antecedent and moreover, 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 the fact that recovery of illicit liquor was not made from the physical possession of the petitioner, as per seizure list.

Considering the facts and circumstances as mentioned above, as illicit liquor was not made 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 Baligoun P.S. Case No. 01 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 Exclusive Special Excise Court No.-1-Cum-Additional District and Sessions Judge-VIII, Vaishali at



Hajipur/concerned court, subject to the conditions as mentioned
under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

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