

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30625 of 2022**

Arising Out of PS. Case No.-299 Year-2021 Thana- PAROO District- Muzaffarpur

Pankaj Kumar Sah S/o Kishundeo Sah R/o Vill.-Bahdinpur Tole Mukundpur,
P.S.-Paroo, District-Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate
For the Opposite Party/s : Mr. Anil 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 Paroo P.S.

Case No. 299 of 2021 registered for the offence under Sections

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 29.01.2022.

The allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there is

recovery of 202.59 litres of IMFL/country made liquor from

Mahindra made Magic vehicle bearing registration no. BR-



06PC-6748.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of input of local chaukidar and admittedly, petitioner was not apprehended on spot from, where, alleged recovery of illicit liquor is made from Mahindra made Magic vehicle. It is also submitted that no recovery of illicit liquor was made from the physical possession of the petitioner, who is a man of clean antecedent. 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 recovery of illicit liquor was not made from physical possession of the petitioner, as per seizure list.

Considering the facts and circumstances as mentioned above, as the recovery of 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 Paroo P.S. Case No. 299 of 2021 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 Judge (Excise), Court No.-II, Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

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