

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31590 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- LAURIA District- West Champaran

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AMRESH RAM S/o Jhulan Ram Resident of Village - Deurwa, P.S. -
Lauriya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Adv.

For the Opposite Party/s : Mr.Pradeep Narain 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 counsel 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 Lauriya
P.S. Case No. 167 of 2021 registered for the offence under
Sections 302, 328 and 34 of the IPC and Sections 30(a), 33 and
37(b) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.01.2022.

The allegation against the petitioner is to engaged in
the illegal trading/manufacturing of illicit liquor, where one
person died after consuming the said liquor, alleged to be
spurious.



Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of suspicion. It is submitted that nothing surfaced/recovered in furtherance of the confessional statement, which may incriminate or connect the petitioner with the present set of occurrence. It is further submitted that petitioner is involved in five other criminal cases as mentioned in paragraph no. 3 of the bail petition and in most of the cases, the name of the petitioner surfaced on the basis of confessional statement, as of present case. It is further submitted that nothing surfaced during the course of investigation which may suggest that petitioner was found in manufacturing of spurious liquor. 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 nothing incriminating recovered from the physical possession of the petitioner, during the course of investigation.

Considering the facts and circumstances as mentioned above, as nothing incriminating recovered from the physical possession of the petitioner in furtherance of the confessional



statement, suggesting involvement of the petitioner in activities of spurious liquor 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 Lauriya P.S. Case No. 167 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 Special Judge, Excise, Bettiah, West Champaran/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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