

Arising Out of PS. Case No.-72 Year-2022 Thana- JAGDISHPUR District- Bhojpur

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr.Nityanand,APP

2 12-08-2022 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 Jagdishpur P.S. Case No. 72 of 2022 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 19.02.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 85 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that recovery is made from open place like bank of river which is accessible by general public. Petitioner is a man of clean antecedent. It has been submitted that investigation is complete where charge-sheet has been submitted.

Learned APP, while opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the alleged recovery of illicit liquor has not been made from the conscious physical possession of the petitioner, 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 Jagdishpur P.S. Case No. 72 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, Bhojpur at Ara/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-
Ravishankar/-

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