

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33613 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. AKHILESH KUMAR @ AKHILESHWAR KUMAR Son of Raghav Singh
Resident of village - Paltu Hata, P.S.- Jamo Bazar, District - Siwan.
 2. Bittu Kumar Son of Sipahi Chaudhary Resident of village - Khulasa Saraiya,
P.S.- Jamo Bazar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-08-2022 Heard learned counsel appearing on behalf of the

petitioners 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 petitioners seek bail in connection with Excise
Case No. 04 of 2022 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioners are named in the prosecution
report and is in custody since 07.04.2022.

The allegation against the petitioners is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 264.480 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioners submitted that recovery of illicit liquor was made from vehicle which was jointly occupied, denying thereof conscious physical possession over recovered illicit liquor. It is submitted that petitioners are men of clean antecedent. It has further been submitted that investigation is complete.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been made from the conscious physical possession of the petitioners, who are men of clean antecedent, let both the petitioners, above named, are directed to be released on bail in connection with Excise Case No. 04 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Judge, Excise Court-II, Gopalganj/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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