

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34280 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- RAJAON District- Banka

AMIT KUMAR S/o Baijenda Prasad Yadav Resident of Village- Jaipalpatti,
P.S. and District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajib Ranjan Jha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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 Rajoun
(Nabada O.P.) P.S. Case No. 84 of 2022 registered for the
offence under Section 30(a) and 32(2) of the Bihar Prohibition
and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 24.02.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 126.750 litres of IMFL/country made liquor is from
the car.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is driver of alleged car and nothing can be gathered from investigation that he was under knowledge to have illicit liquor. It is submitted that petitioner is a man of clean antecedent. It has further been submitted that investigation is complete, where charge-sheet has been submitted.

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 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 Rajoun (Nabada O.P.) P.S. Case No. 84 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 Additional District and Sessions Judge-II-cum-Special Judge Excise, Banka/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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