

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.39680 of 2022**

Arising Out of PS. Case No.-48 Year-2022 Thana- PANDAUL District- Madhubani

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Antim Jha @ Atim Jha @ Ramesh Kumar Jha Son of Raj Kumar Jha R/O  
Village- Kushmoul, P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jagjit Roshan, Advocate  
For the Opposite Party/s : Ms. Asha Devi, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA  
ORAL ORDER**

2      20-08-2022                      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 Pandaul  
P.S. Case No. 48 of 2022 registered for the offence under  
Sections 272 and 273 of the Indian Penal Code and Section  
30(a) of the Bihar Prohibition and Excise Act, 2016.

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



custody since 08.04.2022.

The allegation against the petitioner is to involve in the illegal trading of illicit liquor, where 54 liters of Nepali liquor was recovered from a mango orchard.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from a mango orchard, which does not belongs to the petitioner, as such, it cannot be said to be recovered from the conscious physical possession of the petitioner. It is submitted that name of the petitioner surfaced on the basis of input provided by unknown villagers. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor cannot be said to be made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is



directed to be released on bail in connection with Pandaul P.S. Case No. 48 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 Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

pooja/-

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