

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38872 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- SHEKHPURA District- Sheikhpura

GHANSHYAM DHADI @ GHANSHYAM RAM Son of Karu Ram Resident
of Village - Murarpur, P.s.- Korma, and Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

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 Excise
Case No. 17 of 2021 registered for the offence under Sections
272, 273 of the I.P.C. and 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 18.12.2021.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 42 litres of IMFL/country made liquor from the
alleged bike.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner is not apprehended on spot and also
seizure list does not appear his signature, is sufficient to gather



that recovery of illicit liquor was not made from his physical possession. It further submitted that name of petitioner surfaced in present case only for his criminal antecedent i.e. in 25 criminal cases, where he is on bail in 22 cases. 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 opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no illicit liquor was recovered from the 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 Excise Case No. 17 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 the Court of learned-II Additional District and Sessions Judge, Sheikhpura/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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