

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39458 of 2022**

Arising Out of PS. Case No.-156 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Md. Jabla @ Jabir Ali Son of Md. Iliyash Ali @ Md. Ilyas Resident of village
- Manjhlapur Ward No.- 5, P.S.- Muffasil (Lakho O.P.), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 Muffasil
(Lakho O.P.) P.S. Case No. 156 of 2022 registered for the
offence under Sections 420, 467 and 468 of the Indian Penal
Code and 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 23.04.2022.



The allegation against the petitioner is to run away from the place of recovery, where a total of 84.300 liters of illicit liquor was recovered from the Bolero vehicle.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not connected, in any manner, with the alleged Bolero vehicle, from which the recovery of illicit liquor was made. It is submitted that name of the petitioner surfaced on the basis of input provided by local chowkidar. While concluding the argument, it is submitted that 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, while opposing the prayer of bail, fairly conceded that recovery of illicit liquor was not made from the physical possession of the petitioner.

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 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 Muffasil (Lakho O.P.) P.S. Case No. 156 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 Excise Judge-I, Begusarai/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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