

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41864 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- TARAIYA District- Saran

BIKASH RAM @ BIKASH BARNWAL @ VIKASH KUMAR VANRVAL
S/o Ram Dahin Ram R/o village- Chaura Mandir, P.S.- Nagar Hajipur,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 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.

At the outset, learned counsel for the petitioner
submitted that at page no. 6 of the bail petition in satisfaction
portion, inadvertently, year of police station case no. has been
wrongly typed as 'Tariya P.S. Case No. 88 of 2021' instead of
'Tariya P.S. Case No. 88 of 2022.'

Accordingly, learned counsel for the petitioner is
permitted to make necessary correction during the course of the
day itself.

The petitioner seeks bail in connection with Taraiya



P.S. Case No. 88 of 2022 registered for the offence under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 25.03.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 1557.6 litres of IMFL/country made liquor from the alleged vehicle.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from car which was jointly occupied, denying thereof conscious physical possession of the petitioner. It has 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 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 Taraiya P.S. Case No. 88 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 2nd Exclusive Special Judge, Excise, Saran/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

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