

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42167 of 2022

Arising Out of PS. Case No.-122 Year-2022 Thana- AMBA District- Aurangabad

ANIL KUMAR Son of Nand Lal Mahto Resident of Village - Gira , P.s.-
Obra, Distt.- Aurangabad , Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Alka Singh, Advocate

For the Opposite Party/s : Ms.Sucheta Yadav, 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.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Amba
P.S. Case No. 122 of 2022 registered for the offence 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 17.06.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 302.22 litres of IMFL/country made liquor from the
alleged vehicle.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is neither driver nor owner of the alleged vehicle from where illicit liquor was recovered. It is further submitted that petitioner is not connected in any manner with the alleged recovery. It is also submitted that seizure list is disputed as same is not supported by independent witnesses.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as seizure list appears to be doubtful, where recovery of illicit liquor is not appears to be made from the conscious physical possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Amba P.S. Case No. 122 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 Special Judge Excise 1st, Aurangabad/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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