

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44166 of 2022**

Arising Out of PS. Case No.-1 Year-2022 Thana- WAJIRGANJ District- Gaya

=====

Ram Bilas Chaudhary Son of Ram Pravesh Chaudhary @ Pravesh Chaudhary
Resident of Village - Manaini, P.S.- Wazirganj, District - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-09-2022 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 Wazirganj
P.S. Case No. 1 of 2022 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act and
Section 414 of the Indian Penal Code.

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



custody since 28.05.2022.

The allegation against the petitioner is to involve in the illegal trading of illicit liquor, where 280 liters of illicit country made liquor was recovered from three motorcycles.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor was made from three motorcycles, where petitioner was not apprehended on the spot. It is further submitted that, admittedly, this is not a case of recovery of illicit liquor from the conscious physical possession of the petitioner. 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 opposes the prayer of bail.

In view of 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 Wazirganj P.S. Case No. 1 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 Special Excise Judge-I, Gaya/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

