

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44412 of 2022

Arising Out of PS. Case No.-128 Year-2021 Thana- MAHESHKHUNT District- Khagaria

Raman Kumar @ Rama Kumar Son of Mahendra Singh R/O Village- Jaguna-
gar Banni, P.S.- Mahekhunt, District- Khagariya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate
For the State : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-09-2022 Heard learned counsel appearing on behalf of the peti-
tioner 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 Ma-
heshkhunt P.S. Case No. 128 of 2021 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.07.2022.

The allegation against the petitioner is to involve in
the illegal trading of illicit liquor, where 1203.84 liters of for-



eign liquor was recovered from the house of the co-accused, namely, Rambalak Singh.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor was made from the house of the co-accused, namely, Rambalak Singh, where nothing surfaced during the course of investigation, which may connect the petitioner, *prima facie*, with the present recovery of illicit liquor. It is further submitted that 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 petitioner is a man of clean antecedent and, moreover, it is categorically 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, who is a man of clean antecedent 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 Maheshkhunt



P.S. Case No. 128 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 learned Special Excise Judge, Khagaria/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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