

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44156 of 2022**

Arising Out of PS. Case No.-190 Year-2013 Thana- JHAJHA District- Jamui

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Pintu Rawat Son of Jagarnath Rawat @ Jagarnnath Rao Resident of Village -
Mallaypur, P.S.- Mallaypur, Distt.- Jamui, Bhar 811313

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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**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 Jhajha
P.S. Case No. 190 of 2013 registered for the offence under
Section 47(A) of the Bihar Prohibition and Excise Act.

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



custody since 04.07.2022.

The allegation against the petitioner is to involve in the illegal trading of illicit liquor, where 413.36 liters of IMFL and 375 liters of country made liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor was made from the shop taken on rent by this petitioner, which is accessible by general public, as such, it cannot be said to be recovered from the conscious physical possession of the petitioner. It is further submitted that petitioner was not apprehended at the spot. 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 Jhajha P.S. Case No. 190 of 2013 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 Court of Excise-I, Jamui/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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