

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45251 of 2022
Arising Out of PS. Case No.-51 Year-2022 Thana- NAVINAGAR
District- Aurangabad

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Ajeet Kumar S/o Suresh Singh R/o village - Shankarpur, P.s.
Akodhigola, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 19-09-2022

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 Navinagar
P.S. Case No. 51 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 20.07.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 1800 litres of illicit IMFL /country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that the name of petitioner surfaced on the basis of
disclosure made by apprehended co-accused, namely, Hakim Ansari,



and where in furtherance thereof, nothing incriminating surfaced during the course of investigation to connect this petitioner. It is further submitted that admittedly, it is not a case of recovery of illicit liquor from the conscious physical possession of this petitioner. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor was not made from conscious physical possession of this 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 Navinagar P.S. Case No. 51 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 the Court of Special Judge, Excise-1, 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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