

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45445 of 2022**

Arising Out of PS. Case No.-70 Year-2022 Thana- BALTHAR District- West Champaran

Md. Sajjad @ Md. Sajjad Sheikh Son of Sri Sheikh Samsuddin R/O Village-
Murli Parsauni, P.S.- Balthar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 09-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State
through virtual Court proceedings.

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

The petitioner seeks bail in connection with Balthar
P.S. Case No. 70 of 2022 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.06.2022.



The allegation against the petitioner is to involve in the illegal trading of illicit liquor, where 63 liters of Nepali liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor was made from a hut, which is not connected with the petitioner in any manner. 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, further, 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.

Considering 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 Balthar P.S. Case No. 70 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 Judge, Excise, West Champaran at Bettiah/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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