

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46423 of 2022

Arising Out of PS. Case No.-363 Year-2020 Thana- MUFFASIL District- West Champaran

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KRISHNA DHANGAD @ KRISHNA DHANGAR Son of Chhotelal
Dhanagd R/v- ITI Dhangad Toli, P.S- Bettiah (Muffasil), Dist- West cham-
paran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s: Mr.Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-09-2022 Heard learned counsel appearing on behalf of the pe-
titioner 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 Bettiah
(Muffasil) P.S. Case No. 363 of 2020 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 11.06.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 5 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of alleged illicit liquor was made from
house of the petitioner, which is jointly occupied by other



family members, as such, it cannot said to be recovered from conscious physical possession of the petitioner. It is submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case is complete, 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 the conscious physical possession of the petitioner, who is a man of clean antecedent 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 Bettiah (Muffasil) P.S. Case No. 363 of 2020 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, Bettiah, West Champaran/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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