

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46841 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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RAM REKHA RAM Son of Late Prani Ram Resident of village - Dhamhara,
P.s. Aurangabad (M), District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-09-2022 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
Aurangabad Excise Case No. 106 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 prosecution
report and is in custody since 23.10.2021.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 47.400 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that recovery of alleged illicit liquor was made from open place, which was near the shop of the petitioner, where he was apprehended and implicated in the present case. It is submitted that recovery of illicit liquor was not made from conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case is complete.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Aurangabad Excise Case No. 106 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 Special Judge Excise-II, Aurangabad/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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