

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49301 of 2022

Arising Out of PS. Case No.-451 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

=====

Santosh Kumar s/o late harihar das r/o village- mail pakri, p.s.- Bidupur, P.O.
Bhairipur, Distt- Vaishali, Bihar 844102

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manju Jha, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-09-2022 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 Excise P.S.

Case No. 451 of 2022 registered for the offence under Sections

30(a) and 56(b) of the Bihar Prohibition and Excise Act, 2018.

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

custody since 21.07.2022.

The allegation against the petitioner is to be engaged in

illegal trading/manufacturing of illicit liquor, where, there was

recovery of 945 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner

submitted that petitioner is a driver of alleged vehicle from, where

illicit liquor was recovered, where nothing incriminating surfaced



during the course of investigation, which may suggest that petitioner was under knowledge to carry illegal consignment. It is further submitted that seizure list is not supported by independent witnesses rather by police personnels. While concluding the argument, it is categorically submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as seizure list appears disputed 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 Excise P.S. Case No. 451 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 Excise Judge, Bihar Excise Act, Court No. 3, Gaya/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

U		T	
---	--	---	--

