

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50338 of 2022**

Arising Out of PS. Case No.-195 Year-2020 Thana- BUNIYAD GANJ District- Gaya

Moti Tanti @ Moti Lal Son Of Late Shankar Tanti R/O Mohalla- Manpur,
Bajinath Sahay Lane, P.S.- Buniyadganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Advocate
For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel 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
Buniyadganj P.S. Case No. 195 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 30.07.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 135 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated in this case only for the reason that he is the owner of rented premises, from where recovery of illicit liquor was made, denying thereof conscious physical possession of the petitioner. It is submitted that petitioner is a man of clean antecedent. 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 tempering with the evidence.

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 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 Buniyadganj P.S. Case No. 195 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya/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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