

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51893 of 2022

Arising Out of PS. Case No.-768 Year-2021 Thana- ALAMGANJ District- Patna

Paachu Shani @ Panchu Sahani S/o Jaglal Sahani @ Jaylal Sahani R/o
Mohalla- Gosai Ghat, Pani Tanki, Abdullah Chak, Patna-07, P.S.- Alamganj,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-10-2022

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 Alamganj P.S.
Case No. 768 of 2021 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 31.03.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 90 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that alleged recovery of illicit liquor was made from auto
rikshaw, which is a public carrier accessible by general public and



moreover, name of petitioner surfaced on the basis of disclosure made by apprehended co-accused, where nothing incriminating surfaced during the course of investigation to connect this petitioner with present set of occurrence. While concluding the argument, it has been submitted that investigation of this case has been completed, 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 recovery of illicit liquor not appears from conscious physical possession of this petitioner 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 Alamganj P.S. Case No. 768 of 2021 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, Patna City, Patna/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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

