

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51508 of 2022

Arising Out of PS. Case No.-360 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

Om Prakash @ Prakash Kumar Son of Ashok Sah R/V- Mohammadpur
Kanth, P.S- Sakra, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-10-2022 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 Excise P.S.
Case No. 360 of 2021 registered for the offence under Sections
30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.03.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 371 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of alleged illicit liquor was made from the
chain of vehicles, where name of petitioner surfaced on the basis



of secret input on the basis nothing incriminating material recovered from his possession. It is further pointed out that petitioner is not connected in any manner with alleged vehicle. 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 Excise P.S. Case No. 360 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) Court- II at Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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

