

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52772 of 2022

Arising Out of PS. Case No.-112 Year-2021 Thana- CHARPOKHARI District- Bhojpur

Supan Paswan Son of Rajendra Paswan @ Rajendra Ram R/O Village-
Salempur, P.S.- Ara Mufassil (Dhobha O.P.), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-10-2022 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
Charpokhari P.S. Case No. 112 of 2021 registered for the
offence under Sections 30(a) and 38 of the Bihar Prohibition
and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.04.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 964.80 litres of illicit IMFL/country made
liquor.



Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated in present case merely on the ground that he is registered owner of alleged motorcycle from where, illicit liquor was recovered. It is further submitted that petitioner is a man of clean antecedent and moreover, 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 was not made 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 Charpokhari P.S. Case No. 112 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 Exclusive Special Excise Court-I, Bhojpur at Ara/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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