

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52163 of 2022

Arising Out of PS. Case No.-625 Year-2022 Thana- SUPAUL District- Supaul

1. Amit Singh Son of Joginder Singh Resident of Village - Babal, P.S.- Sadar Panipath, District - Panipath (Haryana).
2. Satish Nandal Son of Pratap Singh Resident of Village - Udesipur, P.S.- Ginaur, District - Sonipat (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Shekhar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 21-10-2022 Heard learned counsel appearing on behalf of the petitioners 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 petitioners seek bail in connection with Supaul P.S. Case No. 625 of 2022 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioners are named in the F.I.R. and are in custody since 01.07.2022.

The allegation against the petitioners is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 5704.155 litres of illicit IMFL/country made



liquor.

Learned counsel appearing on behalf of the petitioners submitted that petitioner no. 1 is helper/cleaner and petitioner no. 2 is the driver of alleged truck from where recovery of illicit liquor was alleged to be made, where nothing surfaced during the course of investigation that petitioners were aware about the consignment of illicit liquor and as such it cannot be gathered that recovery of illicit liquor was made from conscious physical possession of these petitioners. While concluding the argument, it has been submitted that both petitioners are men 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 not appears from conscious physical possession of these petitioners coupled with the fact that charge-sheet has been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Supaul P.S. Case No. 625 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 Judge



Excise Court-I, Supaul/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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