

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54881 of 2022**

Arising Out of PS. Case No.-223 Year-2022 Thana- KEWATI District- Darbhanga

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Ram Narayan Sahni S/o Late Lodai Sahni R/o village- Sonhan, P.S.- Keoti,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the State : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-10-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP 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 Keoti P.S.

Case No. 223 of 2022 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act.

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



custody since 20.07.2022.

The allegation against the petitioner is to have in possession of 5 liters of chulai liquor, which was recovered from his house.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor was made from the house of the petitioner, which is jointly occupied by other family members, as such, it cannot be said that recovery was made from the conscious physical possession of the petitioner. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as recovery of illicit liquor was made from the jointly occupied house of the petitioner coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Keoti P.S. Case No. 223 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 Exclusive Special Judge-I, Excise Act, Darbhanga/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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