

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54874 of 2022

Arising Out of PS. Case No.-218 Year-2022 Thana- RIVILGANJ District- Saran

1. Padam Singh S/o Bhoop Singh Resident of Village- Mandauthi, P.S.- Bahadurgarh, District- Jhajjar, Haryana, PIN Code- 124506 (Haryana)
2. Sanjay Dalal S/o Sri Jagdish Dalal Resident of Village- Gopalnagar, P.S.- Najafgarh, District- Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-10-2022 Heard learned counsel appearing on behalf of the petitioners 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 petitioners seek bail in connection with Revilganj P.S. Case No. 218 of 2022 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

The accused/petitioners are named in the F.I.R. and are in custody since 04.07.2022.

The allegation against the petitioners is to have in possession of 187.500 liters of whiskey, which was recovered



from a car bearing Registration no. DL 8C AV 3744.

Learned counsel appearing on behalf of the petitioners submitted that the alleged recovery of illicit liquor was made from the back seat and dickey of the car, where petitioner no.1 is the driver and petitioner no.2 is the friend of petitioner no.1, who took a lift for a local destination and, as such, they had no knowledge of the illicit liquor being kept in the vehicle. It is further submitted that recovery of illicit liquor was not made from the conscious physical possession of the petitioners. While concluding the argument, it is submitted that petitioners are men of clean antecedent and, moreover, 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 is not appearing from the conscious physical possession of the petitioners, who are the men of clean antecedent coupled with the fact that chargesheet has already been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Revilganj P.S. Case No. 218 of 2022 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Exclusive Excise-II, Saran at Chapra/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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