

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60247 of 2022

Arising Out of PS. Case No.-343 Year-2022 Thana- BYPASS District- Patna

Akash Kewat S/O- Chanddaradeo Kewat @ Ram Sagar Kewat R/M- Bahri
Dhawalpura near Baithka, P.S.- Bypass, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel appearing on behalf of the
petitioner 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 petitioner seeks bail in connection with Bypass P.S.
Case No. 343 of 2022 registered for the offence under Sections 30(a)
of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.08.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there is recovery
of 65 litres of IMFL/country made liquor from the alleged plastic
bucket.

Learned counsel appearing on behalf of the petitioner



submitted that the recovery of alleged illicit liquor was not made from the conscious physical possession of this petitioner. It is submitted that the seizure list, as regard to recovery, is appearing doubtful being not supported by independent witnesses. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, 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 seizure list appears doubtful, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bypass P.S. Case No. 343 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, Patna City, Patna/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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