

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59087 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- HIRAMMA P.S. District- Sheohar

Md. Lal Babu Son of Ishu Miyan Resident of Village - Rupwara, P.S.-
Hiramma, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hans Lal Kumar, Advocate
For the State	:	Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 Hiramma
P.S. Case No. 11 of 2022 registered for the offence under
Sections 30(a), 30(c), 30(d) and 41(1) of the Bihar Prohibition
and Excise Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.05.2020.



The allegation against the petitioner is to be engaged in illegal manufacturing and trading of illicit liquor, where 69 liters of illicit liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the house of brother of this petitioner and, admittedly, same was not recovered from the conscious physical possession of the petitioner. It is submitted that as petitioner was found involved in four cases of different nature, he has been implicated in the present case also, without having any connecting material. 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 not appears to be made from conscious physical possession of the petitioner coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Hiramma P.S. Case No. 11 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 Excise Court No.II, Sheohar/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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