

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55181 of 2022

Arising Out of PS. Case No.-112 Year-2017 Thana- SASARAM NAGAR District- Rohtas

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Santosh Chaurasia @ Santosh Chaurasiya Son Of Lalan Chaurasiya R/O
Mohalla- Lakhnusrarai, P.S.- Sasaram (T), Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr.Rajendra Prasad Nat, 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 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 Sasaram
(Model) P.S. Case No. 112 of 2017 registered for the offence
under Section 420 of the Indian Penal Code and Sections 30(a),
38 and 41 of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is not named in the F.I.R. and
is in custody since 16.08.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there was recovery of 2581.920 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of the co-accused person, namely, Chandan Kumar, who has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 42334 of 07.11.2017, admittedly, this is not a case of recovery of alleged illicit liquor from the conscious physical possession of this petitioner . While concluding the argument, it is submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor was not made from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sasaram (Model) P.S. Case No. 112 of 2017 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.2-cum-Additional Sessions
Judge, Rohtas at Sasaram/concerned court, subject to the
conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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