

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60384 of 2022

Arising Out of PS. Case No.-412 Year-2022 Thana- PARSABAZAR District- Patna

Udeshwar Prasad Son of Late Ram Saroop Prasad R/V- Dautpur, P.S-
Masaurhi, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shekhar Kumar Singh, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Parsa Bazar
P.S. Case No.412 of 2022 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2022.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.08.2022.

The allegation against the petitioner is to be in
possession of illicit liquor, where, there was recovery of 60 litres



of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that the recovery of alleged illicit liquor was made from 3 wheeler/tempo, being a public carrier and accessible by general public and, as such, it can be safely gathered that recovery of illicit liquor was not made from the conscious physical possession of this petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

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

In view of the facts and circumstances as mentioned above, as the recovery of alleged illicit liquor not appears to be made from conscious physical possession of the petitioner 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 Parsa Bazar P.S. Case No.412 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 Judge, Excise, Patna/concerned court,



subject to the conditions as mentioned under Section 437(3) of
the Cr.P.C.

S.Tripathi/-

(Chandra Shekhar Jha, J)

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