

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62560 of 2022**

Arising Out of PS. Case No.-99 Year-2019 Thana- AMAS District- Gaya

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Aftab Alam Son Of Late Abdul Samad @ Abdul Sumad R/O Village- Chanak
Central, Saunda, P.S.- Patratu, Distt.- Patratu, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi, Advocate
For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 02-12-2022 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 Amas P.S.

Case No. 99 of 2019 registered for the offence under Sections

272 and 273 of the Indian Penal Code and under Section 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 27.08.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 640 litres country made spirit.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner was implicated in this case only being the registered owner of the vehicle, where illicit liquor was recovered. It is submitted that recovery of alleged illicit liquor was not made from the conscious physical possession of this petitioner, who is a man of clean antecedents. 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.

In view of the facts and circumstances as mentioned above, as recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioner, who is a man of clean antecedent 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 Amas P.S. Case No. 99 of 2019 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 Court No.2,
Gaya/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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