

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63170 of 2022

Arising Out of PS. Case No.-185 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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Naresh Kumar @ Naresh Kumar Bishnoi Son of Keshu Ram Resident of
Village- Ranjeetpura, P.S.- Bajju, District- Bikaner, Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhukar Anand, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, 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 Aurangabad

Prohibition (Excise) P.S. Case No. 185 of 2022 registered for the

offence 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 08.09.2022.

The allegation against the petitioner is to be engaged in

illegal trading/manufacturing of illicit liquor, where, there is recovery

of 386.1 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is the driver of the car from where illicit liquor was recovered and moreover, nothing surfaced during course of investigation which may suggest that petitioner was under knowledge to carry consignment of illicit liquor. It is further submitted that seizure list appears disputed being not supported by independent witnesses, rather by police personnels. While concluding the argument, It has been submitted that investigation is 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 being not supported by independent witnesses 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 Aurangabad Prohibition (Excise) P.S. Case No. 185 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, Second, Aurangabad, Bihar/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

Archana/-

(Chandra Shekhar Jha, J)

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