

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64057 of 2022

Arising Out of PS. Case No.-184 Year-2019 Thana- GAIGHAT District- Muzaffarpur

Santosh Kumar Son of Baidyanath Rai Resident of Hanuman Nagar, P.S.-
Gaighat, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sumit Shekhar Pandey, Advocate
For the State	:	Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State through virtual Court proceedings.

The petitioner seeks bail in connection with Gaighat P.S. Case No.184 of 2019 registered for the offence under Sections 272, 273, 414, 420, 467, 468 and 34 of the Indian Penal Code and Section 30(a)(c) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 16.08.2022.

The allegation against the petitioner is to be in illegal possession of illicit liquor, where, there was recovery of 10.5 litres of illicit IMFL/country made liquor alongwith 25 liters of



spirit.

Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit spirit and liquor were made from the house of the brother of petitioner, namely, Radhey Rai, and merely on the basis of suspicion and being brother, petitioner was falsely implicated in the present case without having any connection with the evidence. 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 recovery of alleged illicit liquor not appears to be made from conscious physical possession of the petitioner coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with Gaighat P.S. Case No.184 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 Excise Court No. 1, Muzaffarpur,
Bihar/concerned court, subject to the conditions as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

U		T	
---	--	---	--

