

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58861 of 2022

Arising Out of PS. Case No.-220 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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1. Sohan Ravidas Son of Nageshwar Ravidas @ Nageshwar Mochi R/V-
Jhakhar Kishanpur, P.S- Lakhisarai (Amahra O.P) Dist- Lakhisarai
 2. Ajit Kumar Son of Late Parmeshwar Kewat R/V- Jokmaila, P.S- Lakhisarai,
Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-11-2022 Heard learned counsel appearing on behalf of the

petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Excise
P.S. Case No. 220 of 2022 registered for the offence under
Sections 30(a) and 56(b) of the Bihar Prohibition and Excise
Act, 2018.

The accused/petitioners are named in the F.I.R. where
both petitioners are in custody since 09.08.2022.



The allegation against the petitioners is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 100 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioners submitted that alleged motorcycle was jointly occupied by other co-accused persons and, as such, it cannot be said that recovery of alleged illicit liquor was made from the conscious physical possession of the petitioners. It is further submitted that petitioner no.1 is a man of clean antecedent, whereas petitioner no.2 is involved in one case. While concluding the argument, it has been submitted that investigation of this case is complete, for which, 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 illicit liquor was not made from the conscious physical possession of the petitioners, coupled with the fact that charge-sheet has been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Excise P.S. Case No. 220 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned



Additional Sessions Judge-V-cum-Exclusive Special Court
No.II, Excise Act, Lakhisarai/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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