

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60397 of 2022**

Arising Out of PS. Case No.-149 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

Madan Gond @ Madan Gor Son of Late Manik Chandra Gond Resident of
Village- Dhaudarh, P.S.- Sasaram (Muffasil), District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

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

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

2 25-11-2022 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 Sasaram
(Muffasil) P.S. Case No. 149 of 2019 registered for the offence under
Sections 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 17.06.2021.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there is recovery
of 13230 litres of IMFL/country made liquor from the alleged
vehicle.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced on the basis of secret input, where nothing surfaced during the course of investigation to connect this petitioner with alleged set of recovery of illicit liquor. While concluding the argument, it has been submitted that investigation has been 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 recovery of alleged illicit liquor not appears to be made from the conscious physical possession of this 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 Sasaram (Muffasil) P.S. Case No. 149 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. 2-cum-Additional District and Sessions Judge, Rohtas at Sasaram/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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