

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59073 of 2022

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

Sanjay Sharma @ Sanjay Chaudhary S/O Ishwar Dayal Sharma Resident of
village- Dhaudanr, P.S.- Sasaram (M), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-11-2022 Heard learned counsel appearing on behalf of the
petitioner 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 petitioner seeks bail in connection with Sasaram
(M) P.S. Case No. 149 of 2019 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 09.07.2021.

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

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is neither owner nor driver of the alleged vehicle and not connected in any manner with alleged container from where recovery of alleged illicit liquor was made. It is further submitted that the name of petitioner surfaced merely on the basis of suspicion as raised through F.I.R., where nothing incriminating surfaced during the course of investigation to connect this petitioner with present recovery in furtherance of suspicion as raised through F.I.R. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, 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.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears to be made from conscious physical possession of this 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 Sasaram (M) 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)

Archana/-

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