

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62350 of 2022

Arising Out of PS. Case No.-336 Year-2022 Thana- BEUR District- Patna

Sahil Kumar Son of Shailendra Paswan R/V- Manorah, P.S- Punpun Dis-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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 Beur P.S.
Case No. 336 of 2022 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 15.07.2022.

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

Learned counsel appearing on behalf of the petitioner
submitted that the alleged recovery of illicit liquor was made from



tempo, which is a public carrier and accessible by public at large and it can be safely gathered that recovery of alleged illicit liquor was not made from the conscious physical possession of this petitioner, who is a man of clean antecedent. It is also submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. 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 was made from the public carrier, in the background of doubtful seizure list 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 Beur P.S. Case No. 336 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, Patna/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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

