

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59048 of 2022

Arising Out of PS. Case No.-82 Year-2022 Thana- ROHTAS District- Rohtas

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Bhardul Ram @ Santosh Ram S/o Chenarik Ram Resident of village-
Narayan Chack (Khajuri), P.S.- Rohtas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate

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

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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 Rohtas P.S.
Case No. 82 of 2022 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 08.06.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 150 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that the recovery of alleged illicit liquor was made from
abandoned house of the P.P.C.L. company, which is an open place



and accessible by general public and as such it can be safely gathered that recovery of illicit liquor was not made from conscious physical possession of this petitioner. It is further submitted that petitioner involved in one more criminal case of similar nature, where he is on bail. While concluding the argument, it has been submitted that 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 illicit liquor not appears to be made from conscious physical possession of this petitioner 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 Rohtas P.S. Case No. 82 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 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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