

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59833 of 2022**

Arising Out of PS. Case No.-131 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Banka

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1. Santosh Kumar Son of Surendra Raut Resident of village- Babhandiha, Police Station- Jarmundi, District- Dumka (Jharkhand)
  2. Bikki Raut Son of Sitaram Raut Resident of village- Pipra, Police Station- Jama, District- Dumka (Jharkhand)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

|                        |   |                              |
|------------------------|---|------------------------------|
| For the Petitioner     | : | Mr. Ajay Mukherjee, Advocate |
| For the Opposite Party | : | Mr. Manoj Kumar, APP         |

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

2      23-11-2022                      Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Excise Complaint Case No.131 of 2022 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is named in the F.I.R. and is in custody since 24.08.2022.

The allegation against the petitioner is to be engaged in illegal possession of illicit liquor, where, there was recovery of 125.7 litres of illicit IMFL/country made liquor from dickey



of car.

Learned counsel appearing on behalf of the petitioner submitted that petitioner No. 1 was driver having no knowledge about the consignment of illicit liquor, whereas petitioner No. 2 is person, who took lift for a local destination. It is further, pointed out that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

Considering the facts and circumstances as mentioned above and by taking note of doubtful seizure list not being supported by independent witness coupled with the fact that chargesheet has already submitted, let both above named petitioners directed to be released on bail in connection with Excise Complaint Case No. 131 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 Additional



District and Sessions Judge-V, Banka/concerned court, subject  
to the conditions as mentioned under Section 437(3) of the  
Cr.P.C.

**(Chandra Shekhar Jha, J)**

S.Tripathi/-

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