

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59098 of 2022

Arising Out of PS. Case No.-151 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Bikram Thakur @ Bikram Kumar Thakur S/o Ramsogarath Thakur @
Bachcha Thakur R/o Village- Kamtaul, P.S.- Kamtaul, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Mukund Mohan Jha, Advocate
For the State : Mr. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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
Madhubani Excise Prohibition P.S. Case No. 151 of 2022
registered for the offence under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.08.2022.

The allegation against the petitioner is to have in
possession 90 liters of illicit Nepali liquor.



Learned counsel appearing on behalf of the petitioner submitted that alleged recovery was made from dicky of the car and petitioner was not connected, in any manner, with the alleged illicit liquor and vehicle. It is submitted that in good faith, petitioner took lift for a short destination, meanwhile, the vehicle apprehended by police personnels and the alleged recovery was made. It is further submitted that nothing surfaced during the course of investigation, which suggests that petitioner was aware about the possession of illicit liquor. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

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

In view of the facts and circumstances, as mentioned above, as recovery of alleged illicit liquor not appears to be made from the conscious physical possession of the petitioner coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Madhubani P.S. Case No. 151 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 Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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