

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59114 of 2022

Arising Out of PS. Case No.-227 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

=====

Akash Kumar S/o Shri Bachchu Mahto R/o Village- Majharia, Ward no. 1,
P.S.- Ramgarhwa, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Shakil Ahmad Khan, Advocate
For the State	:	Mr. Md. Anbzarul Haque Sahara, APP

=====

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 Excise
P.S. Case No. 227 of 2022 registered for the offence under
Sections 30(a) and 37 of Bihar Prohibition and Excise Act,
2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 12.06.2022.

The allegation against the petitioner is to have in



possession of 72 liters of illicit Nepali liquor.

Learned counsel appearing on behalf of the petitioner submitted that, alleged recovery of illicit liquor was made from jointly occupied motorcycle and not from the exclusive possession of the petitioner. 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 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 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 Excise P.S. Case No. 227 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 Court No.2, East Champaran,



Motihari/concerned Court, subject to the conditions as laid
down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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

