

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62561 of 2022**

Arising Out of PS. Case No.-992 Year-2021 Thana- SASARAM NAGAR District- Rohtas

Rajesh Sonkar Son of Late Chhote Lal Sonkar Resident of Village- Dalelganj,
P.S.- Sasaram Town, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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

3 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 Sasaram
Town P.S. Case No. 992 of 2021 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 04.08.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there is recovery
of 163 litres of IMFL/country made liquor from an open place.

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



the pond situated near house of this petitioner, which is accessible by general public and, as such, it can be safely suggest that recovery of alleged illicit liquor was not made from the conscious physical possession of this petitioner, who is a man of clean antecedent. 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 appears to be made from an open place, where petitioner is a man of clean antecedent 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 Sasaram Town P.S. Case No. 992 of 2021 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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