

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60215 of 2022**

Arising Out of PS. Case No.-206 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

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RAVINDRA DAS S/o Tulsi Das R/o Village- Mahamadpur, Kazisarai, P.S.-
Kako, Distt- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Aradhana Kamal, Advocate
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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

2 24-11-2022 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

Jehanabad Excise P.S. Case No. 206 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 18.09.2022.

The allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there

was recovery of 169.05 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the house of the petitioner, which is family property and accessible by other family members and, as such, it can be safely gathered that recovery of alleged illicit liquor was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent. It is submitted that seizure list is appearing doubtful, being not supported by independent witnesses rather by police personnels. It is further submitted that compliance of Section 100(4) of the Cr.P.C. was not made in the present case. While concluding the argument, it has been submitted that investigation of this case is complete, for which, 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 alleged illicit liquor not appears to be made from the conscious physical possession of the petitioner, where seizure list appears doubtful 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 Jehanabad Excise P.S. Case No. 206 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. 1, Jehanabad/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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