

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62569 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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1. Ghanshyam Singh Son of Babu Saheb Singh Resident of village - Madhurapur, P.S.- Teghara, District - Begusarai.
 2. Radheshayam Singh @ Radheyshyam Singh Son of Babu Saheb Singh Resident of village - Madhurapur, P.S.- Teghara, District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Anuj Kumar, Advocate
For the State	:	Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State through virtual Court proceedings.

The petitioners seeks bail in connection with Excise P.S. Case No.158 of 2022 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioners is named in the F.I.R. and is in custody since 04.06.2022.

The allegation against the petitioners is to be involved



in illegal trading of illicit liquor, where, there was recovery of 971.25 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioners submitted that petitioners are the manager of the hotel besides which alleged recovery of illicit liquor was made from the hut, where petitioner is not connected in any manner. It is further submitted that mere on the basis of suspicion, the petitioners were apprehended in the present case, where nothing incriminating surfaced during the course of investigation. While concluding the argument, it is submitted that petitioners are 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.

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 petitioners coupled with the fact that chargesheet has been submitted, let both above named petitioners directed to be released on bail in connection with Excise P.S. Case No.158 of 2022 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-2, Samastipur/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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