

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65818 of 2022

Arising Out of PS. Case No.-431 Year-2019 Thana- BIKRAM District- Patna

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M Hafiz S/O Md. Haneef R/O Shergarh Baheri, P.S- Shergarh, District- Bereli
(U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the State : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP 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 Bikram

P.S. Case No. 431 of 2019 registered for the offence under

Sections 30(a) of the Bihar Prohibition and Excise Act.

The accused/petitioner is not named in the F.I.R. and



is in custody since 11.07.2022.

The allegation against the petitioner is to be involved in illegal trading of illicit liquor, where 6057 liters of illicit liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is the victim of circumstances for the reason that someone misused his Adhaar Card to get a mobile number, which was found at the place of occurrence. It is submitted that, admittedly, recovery of illicit liquor was not made from the conscious physical possession of the petitioner. 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 conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bikram P.S. Case No. 431 of



2019 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, Danapur, Patna/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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