

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62190 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- BACHHWARA District- Begusarai

Satish Kumar Son of Ranjeet Roy @ Ranjit Yadav R/V- Bachhuara Tara, P.S-
Bacchuara, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Braj Bhushan Poddar, Advocate
For the State	:	Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 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
Bachhwara P.S. Case No. 117 of 2022 registered for the offence
under Sections 188 and 120B of the Indian Penal Code and
Section 30(a) of the Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.09.2022.

The allegation against the petitioner is to be involved
in the illegal trading of illicit liquor, where 445.32 liters of
foreign liquor was recovered.

Learned counsel appearing on behalf of the petitioner



submitted that recovery of illicit liquor was made from open place, as maize field, which is accessible by general public and, as such, it can be safely gathered that recovery of illicit liquor was not made from the conscious physical possession of the petitioner. It is further submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnel.

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 was made from open place, in the background of doubtful seizure list, let the petitioner, above named, is directed to be released on bail in connection with Bachhwara P.S. Case No. 117 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 Exclusive Excise Judge-I, Begusarai/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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