

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61176 of 2022

Arising Out of PS. Case No.-359 Year-2022 Thana- DEHRI TOWN District- Rohtas

Vikash Kumar S/o Shiv Kumar @ Shiv Kumar Ram R/o Mohalla- Barah Patthar, Ward no. 35, P.S.- Dehri Town, Distt- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shankar Kumar, Advocate
For the State	:	Mr. Md. Nazir Ansari, 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.

The petitioner seeks bail in connection with Dehri Town P.S. Case No.359 of 2022 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise(Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 26.05.2022.

The allegation against the petitioner is to be involved



in illegal trading of illicit liquor, where, there was recovery of 43.05 litres of illicit IMFL/country made mahua liquor.

Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor was made from open field of one, Dhanji Ram, which is accessible by general public and, as such, it can be safely gathered that recovery of illicit liquor not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent. While concluding the argument, it is submitted that 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 conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with Dehri Town P.S. Case No.359 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, 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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