

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61374 of 2022

Arising Out of PS. Case No.-226 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Pradeep Kumar Son of Bindeswar Das Resident of village - Harpur Pusa,
P.S.- Pusa, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Vandana, Advocate
For the State : Mr. Binod Kumar, APP

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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

Samastipur Excise P.S. Case No. 226 of 2020 registered for the

offence under Sections 30(a) of the Bihar Prohibition and Excise

Act, 2018.



The accused/petitioner is named in prosecution report and is in custody since 24.05.2022.

The allegation against the petitioner is to have in possession of 330 liters of foreign liquor.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from open place i.e., from the back side of the house of the petitioner, which is accessible by general public and, as such, recovery of illicit liquor was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it is submitted that investigation in this case is complete for which prosecution report 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, let the petitioner, above named, is directed to be released on bail in connection with Samastipur Excise P.S. Case No. 226 of 2020 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-II, Samastipur/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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