

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62177 of 2022

Arising Out of PS. Case No.-366 Year-2022 Thana- NADI P.S. District- Patna

=====

Gorakh Kumar S/O Late Ram Dayal Ray Resident of Village- Check Post
Didarganj, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Parmeshwar Vishwakarma, Advocate
For the State : Mr. Ajay Kumar Jha, 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 Nadi P.S.
Case No. 366 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 21.09.2022.

The allegation against the petitioner is to be involved
in the illegal trading of illicit liquor, where 330 liters of country
made liquor was made.

Learned counsel appearing on behalf of the petitioner



submitted that recovery of illicit liquor was made from jute bag, which is not connected with this petitioner and, as such, it can be safely gathered that recovery of illicit liquor was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent. 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 disputed seizure list, let the petitioner, above named, is directed to be released on bail in connection with Nadi P.S. Case No. 366 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, Patna City/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

