

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64861 of 2022**

Arising Out of PS. Case No.-459 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Bhojpur

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Ramakant Singh Son of Late Tej Narayan Singh R/O Village- Chirauli, P.S.-  
Chauri, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, 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 counsel 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 Bhojpur  
Excise P.S. Case No. 459 of 2022 registered for the offence  
under Sections 30(a) of the Bihar Prohibition and Excise Act,  
2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 09.08.2022.

The allegation against the petitioner is to be engaged  
in illegal trading/manufacturing of illicit liquor, where, there is



recovery of 430.200 litres of IMFL/country made liquor from an open place.

Learned counsel appearing on behalf of the petitioner submitted that the recovery of alleged illicit liquor was made from outside the house of this petitioner, which is an open place and accessible by general public and, as such, it can be safely suggest that recovery of alleged illicit liquor was not made from the conscious physical possession of this petitioner. It is further pointed out that seizure list appears doubtful being not supported by independent witnesses rather by police personnels. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor appears to be made from an open place coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bhojpur Excise P.S. Case No. 459 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-II, Bhojpur, Ara/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

pooja/-

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