

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62153 of 2022

Arising Out of PS. Case No.-371 Year-2022 Thana- SURSAND District- Sitamarhi

Vikash Paswan Son of Jay Kishor Paswan @ Raj Kishor Paswan R/O Vill.-
Sursand Ward No. 01, P.S.- Sursand, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Mishra, Advocate
For the State	:	Mr. Kumar Ranjit Ranjan, 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 Sursand
P.S. Case No. 371 of 2022 registered for the offence under
Sections 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 21.07.2022.

The allegation against the petitioner is be involved in the illegal trading of illicit liquor, where a total of 159 liters of Napali Saufi liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from jute bags and, as such, it cannot be said that recovery of illicit liquor was made from the conscious physical possession of the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet 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 coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sursand P.S. Case No. 371 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 Special Excise Court-II, Sitamarhi/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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