

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64079 of 2022

Arising Out of PS. Case No.-781 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Avinash Kumar @ Avnish Kumar Son of Vijay Singh R/o Village - Dumri
Road Ratanpur, P.S.- Nagar (Ratanpur O.P.), District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arjun Prasad, Advocate
For the State	:	Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 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 Begusarai
Nagar P.S. Case No.781 of 2021 registered for the offence under
Section 120(B) of the Indian Penal Code and 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 11.08.2022.

The allegation against the petitioner is to be in possession of illicit liquor, where, there was recovery of 492 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor was made from the open field of, one, Pankaj Singh, where petitioner is not connected in any manner and merely on the basis of suspicion the name of petitioner surfaced in the present case. 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 alleged illicit liquor appears to be made from open field coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with Begusarai Nagar P.S. Case No.781 of 2021 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 Judge-I, Begusarai/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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