

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64307 of 2022

Arising Out of PS. Case No.-86 Year-2022 Thana- MANIHARI District- Katihar

Sk Jubair @ Sheikh Zubair S/o Sheikh Dastagir R/v- Baldiyabari, P.S.-
Manihari, District- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Raghvendra Kumar Singh, Advocate
For the State	:	Mr. Lakshmi Kant Sharma, 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 Manihari P.S.
Case No.86 of 2022 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is not named in the F.I.R. and



is in custody since 31.08.2022.

The allegation against the petitioner is to be involved in illegal trading of illicit liquor, where, there was recovery of 50 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is implicated in the present case only for the reason that, still RC (Registration Certificate) of the alleged motorcycle stands in the name of this petitioner, whereas vehicle is issue was already sold to co-accused, namely, Nakul Singh, long back in February, 2022. 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 not appears to be made from conscious physical possession of the petitioner coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with Manihari P.S. Case No.86 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 Additional District and Sessions Judge, Exclusive Excise Court-II, Katihar/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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