

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66234 of 2022**

Arising Out of PS. Case No.-68 Year-2022 Thana- KALER District- Jehanabad

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Guruvindar Singh Son of Baljeet Singh Resident of Village- Bilona, P.S.-  
Asand, District- Karnal. At present Mohalla- Asand, P.S.- Asand, District-  
Karnal(Haryana)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      23-12-2022                      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 Kaler P.S.  
Case No.68 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 16.07.2022.

The allegation against the petitioner is to be in illegal  
possession of illicit liquor, where, there was recovery of 3145.32  
litres of illicit IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is driver of the alleged vehicle from where illicit liquor was recovered, where nothing surfaced during the course of investigation, which may suggest that petitioner was aware about the consignment of illicit liquor and, as such, it cannot be said that recovery was made from the conscious physical possession of this petitioner. It is also submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, 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 Kaler P.S. Case No.68 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 Special Judge II, Excise, Jehanabad/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

S.Tripathi/-

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