

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67281 of 2022**

Arising Out of PS. Case No.-467 Year-2021 Thana- PHULPARAS District- Madhubani

Jaldhari Sah @ Jaldhar Sah Son Of Late Lakshmi Sah R/O Village- Bikaram
Sher, P.S.- Andharamath, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP.

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

2 23-12-2022 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 Phulparas
P.S. Case No. 467 of 2021 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is not named in the F.I.R. and
is in custody since 25.08.2022.

The allegation against the petitioner is to be engaged
in illegal trade of illicit liquor, where, there is recovery of 918
litres of illicit liquor.

Learned counsel appearing on behalf of the petitioner



submitted that implication of this petitioner was made in the present case, only for the reason that he is the owner of the vehicle, from where, recovery of alleged illicit liquor was made. It is also pointed out that seizure list is doubtful being not supported by independent witnesses, rather by police personnels. 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 of bail.

Considering the facts and circumstances as mentioned above, as seizure list is appearing doubtful as not supported by independent witnesses, where, petitioner is a man of clean antecedent 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 Phulparas P.S. Case No. 467 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 Excise Act, Jhanjharpur, Madhubani/concerned court, subject to the conditions, as



mentioned under Section 437(3) of the Cr.P.C., with further condition:

“That Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the document.”

(Chandra Shekhar Jha, J.)

S.Katyayan/-

U		T	
---	--	---	--

