

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.44016 of 2023**

Arising Out of PS. Case No.-133 Year-2023 Thana- NAUTAN District- West Champaran

1. DHANJEET KUMAR SON OF BELAS RAM RESIDENT OF VILLAGE-BARIYARPUR BIN TOLI, PS -NAUTAN ,DISTRICT -WEST CHAMPARAN
2. ARJUN RAM SON OF JAGDISH RAM RESIDENT OF VILLAGE-BARIYARPUR BIN TOLI, PS- NAUTAN, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

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

2      28-07-2023                      Heard learned counsel appearing on behalf  
of the parties.

2.              The petitioners seek bail in connection with Nautan P.S. Case No.133 of 2023 registered for the offence under Sections 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3.              The accused/petitioners are named in the F.I.R. and are in custody since 17.04.2023.

4.              The allegation against both petitioners is to be engaged in illegal trade of illicit liquor, where, there is



recovery of 18 litres of illicit liquor.

5. Learned counsel appearing on behalf of petitioners submitted that both petitioners not connected in any manner with alleged motorcycle, from where, alleged recovery of illicit liquor was made and as such, it can be safely said that alleged recovery of illicit liquor was not made from conscious physical possession of these petitioners. While concluding the argument, it is submitted that petitioners are men of clean antecedent and moreover, investigation of this case is completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as alleged recovery of illicit liquor not appears to be made from conscious physical possession of these petitioners coupled with the fact that charge-sheet has already submitted, where, both petitioners are in custody since 17.04.2023, let both petitioners, above named, are directed to be released on bail in connection with Nautan P.S. Case No.133 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Judge, Excise Act,  
Bettiah, West Champaran/concerned court, subject to the  
condition as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

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