

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41349 of 2023

Arising Out of PS. Case No.-197 Year-2023 Thana- JAMUI District- Jamui

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Sharwan Tanti @ Sharwan Kumar Tanti Son Of Late Prameshwar Tanti
Village- Kalyanpur P.S.- Jamui.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with Jamui
P.S. Case No. 197 of 2023 registered for the offence under
Sections 272 and 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 27.03.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 8 litres of country made liquor from the



possession of petitioner.

6. Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor not appears to be made from conscious physical possession of this petitioner. It is submitted that seizure list also appears doubtful being not supported by independent witnesses rather by Bihar Home Guard Personnel, despite of availability of independent witnesses. While concluding the argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above and by taking note of fact as seizure list is not supported by independent witnesses, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 27.03.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Jamui P.S. Case No. 197 of 2023 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 Excise Court, 1st



Jamui/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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