

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45721 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- AMBA District- Aurangabad

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Satayajeet Kumar Son Of Ram Parvesh Singh Resident Of Village - Dugal,
P.S.- Kasma, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-08-2023 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 Amba
P.S. Case No. 112 of 2023 registered for the offence under
Sections 30(a), 34, 36 of the Bihar Excise Prohibition
Amendment Act, 2018.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 11.05.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,



there is recovery of 385 litres of IMFL/country made liquor from the alleged car.

6. Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor appears to be made from jointly occupied car and as such it can be safely said that recovery of illicit liquor was not made from the conscious physical possession of this petitioner. It is also submitted that seizure list also appearing doubtful being not supported by independent witnesses, rather by Bihar Home Guard Personnels. 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 recovery of illicit liquor appears to be made from jointly occupied car, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 11.05.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Amba P.S. Case No. 112 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 Special Judge, Excise 1st, Aurangabad (Bihar)/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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