

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60099 of 2023**

Arising Out of PS. Case No.-125 Year-2023 Thana- MOHAMMADPUR District- Gopalganj

Mantu Panjar Son of Jitendra Panja @ Jitendra Kanjar Village- Thawe Ps-
Thawe Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 08-09-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Mohammadpur P.S. Case No. 125 of 2023 registered for the
offence under Section 30(a) of Bihar Prohibition and Excise
Amendment Act, 2018.

3. The accused/petitioner is named in the F.I.R. and
is in custody since 31.05.2023.

4. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 98.64 litres of IMFL/country made liquor



from the alleged vehicle.

5. Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor appears to be made from a tempo, as per seizure list, which is a public carrier and accessible by general public. It is submitted that implication of this petitioner was made with present case only being owner-cum-driver of alleged tempo. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above as, recovery of alleged illicit liquor appears to be made from a public carrier, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 31.05.2023, accordingly, above named petitioner is directed to be released on bail in connection with Mohammadpur P.S. Case No. 125 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the Court of learned Additional District and



Session Judge-II-cum-Special Judge Excise, Court No. 1,
Gopalganj/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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