

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40894 of 2024

Arising Out of PS. Case No.-255 Year-2024 Thana- Excise P.S. District- Nawada

Rahul Sao S/O Sanoj Sao R/O Village- Kenarchatti, P.S- Wazirganj, Distt.-
Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel appearing on behalf of

the parties.

2. The petitioner seeks bail in connection with

Excise P.S. Case No. 255 of 2024 registered for the

offence under Section 30(a)/47 of the Bihar Prohibition

and Excise Act, 2016.

3. The petitioner is named in the F.I.R. and is

in custody since 05.04.2024.

4. The allegation against the petitioner is to be

engaged in illegal trading of illicit liquor, where, there is

recovery of 200 liters of country made liquor.

5. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner is implicated falsely in the present case as he took lift for local destination, where nothing surfaced during the course of investigation as to suggest that the petitioner was under knowledge of consignment of illicit liquor and therefore it is safe to say that the recovery was not made from conscious physical possession of the petitioner, who is otherwise a man of clean antecedent. The seizure list is also not supported by the independent witnesses.

6. Learned APP, opposes the prayer of bail.

7. In view of the facts and circumstances, as recovery of illicit liquor *prima-facie* not appears from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Excise P.S. Case No. 255 of 2024 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



Special Excise Judge- IInd, Nawada, subject to the
conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

Sudha/-

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