

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52481 of 2024

Arising Out of PS. Case No.-285 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

Nago Singh S/o Ram Lakhan Singh Village_ Bishnupur Ahok, P.S. Sahebpur
Kamal, DIstt. Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-07-2024 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

Sahebpur Kamal P.S. Case No. 285 of 2021 registered for

the offence under Section 30(a) of the Bihar Prohibition and

Excise Act, 2018.

3. The accused/petitioner is named in the F.I.R.

and is in custody since 04.06.2024.

4. The allegation against the petitioner is to be

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

recovery of 639 litres of illicit liquor.



5. Learned counsel appearing on behalf of the petitioner submitted that recovery has been made from public place like *Panchayat Bhawan* and also the petitioner was not arrested on the spot. It has further been submitted that nothing has been recovered from conscious physical possession of the petitioner and also nothing surfaced during course of investigation, which may connect the petitioner with the alleged recovery of illicit IMFL. It has further been submitted that petitioner is involved in one case of similar nature, in which, he is on bail.

6. Learned APP, while opposing the prayer of bail, fairly conceded the fact that recovery has been made from public place like *Panchayat Bhawan*.

7. Considering the facts and circumstances as mentioned above, as alleged recovery not appears to be made, *prima facie*, from the conscious physical possession of the petitioner, accordingly petitioner, above named, is directed to be released on bail in connection with Sahebpur Kamal P.S. Case No. 285 of 2021 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, Exclusive Excise IInd, Begusarai subject to the following conditions:

“(i)That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J.)

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