

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10034 of 2022

Arising Out of PS. Case No.-465 Year-2021 Thana- ALOULI District- Khagaria

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JAGDEV SINGH @ JAGADEV SINGH SON OF LATE RAMCHANDRA
SINGH RESIDENT OF VILLAGE- RATNAHA, P.S. ALAULI, DISTRICT-
KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with Alauli

P.S. Case No. 465 of 2021 registered for the offence under

Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

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

custody since 12.12.2021.

The allegation against the petitioner is to be engaged

in illegal business of manufacturing of illicit liquor and to have

in possession of 1 litre of illicit country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that the alleged recovery has been made from the open place and also seized items are house hold and utensils. It has further been submitted that the petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that alleged recovery has been made from the open place.

Considering the facts and circumstances as mentioned above, as recovery of items for preparing illicit liquor is not made from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Alauli P.S. Case No. 465 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 Additional District & Session Judge II-cum-Special Judge Excise, Khagaria, subject to the following conditions:

“(i) That 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 Nutan Devi, who is the wife of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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