

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11148 of 2022**

Arising Out of PS. Case No.-172 Year-2021 Thana- RAJAOLI District- Nawada

RAMBILASH BHUEEYAN SON OF CHARKHU BHUEEYAN @
CHARKU MANJHI R/O VILLAGE- FULWARIYA, P.S.- RAJAULI,
DISTRICT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Rajauli P.S. Case No. 172 of 2021, for the offence punishable
under Section 30(a)(d) and 37(c) of the Bihar Prohibition and
Excise Act, 2016.

As per the allegation made in the F.I.R. altogether 20
litres of country made Mahua liquor along with 40 kg of Rawa
and other articles required in preparation of country made liquor
were recovered.

Learned counsel appearing on behalf of the petitioner
submits that one Dilip Yadav was apprehended on the spot and
he disclosed the name of petitioner that he is also involved in



sell and manufacturing of illicit liquor. He further submits that nothing has been recovered from petitioner's possession and he is in custody since 19.12.2021

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. It is specific case of the State that trade of illicit liquor is rampant in the State of Bihar and by consuming country made illicit liquor huge tragedy takes place. It has also been pointed out that the petitioner is one of the traders, who involved in the sell of illicit liquor in the State of Bihar in an organized manner as such petitioner does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case and rival contention of the parties, the Superintendent of Excise, Nawada is directed to submit a report before the Court below giving details regarding steps taken by him in view of the provisions of the Bihar Prohibition and Excise Act, 2016. The Superintendent of Police, Nawada is also required to furnish report with respect to the steps taken to stop the trade of illicit country made liquor or foreign liquor to the Court below. The Court below, after obtaining such reports, is directed to release the petitioner on bail on furnishing bail bond of Rs. 2,00,000/- (Rs. Two Lakh) with two sureties of the like



amount each to the satisfaction of the learned Exclusive Special Court-2, Nawada in connection with Rajuali P.S. Case No. 172 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

The report so furnished by the State Authorities must be forwarded to the Addl. Chief Secretary, Prohibition and Excise, Bihar for taking necessary steps to stop the illicit trade of liquor in the State of Bihar.

Accordingly, the present application is disposed of.

(Purnendu Singh, J)

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