

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16328 of 2022

Arising Out of PS. Case No.-128 Year-2021 Thana- MAHESHKHUNT District- Khagaria

RAMBALAK SINGH S/o Late Banku Singh R/o village- Naya Nagar Banni,
P.S.- Maheshkhut, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Maheshkhunt P.S. Case No. 128 of 2021 registered for the alleged offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case is that on secret information, a raid was conducted on the house of the petitioner and 1203.84 liters of illicit India made foreign liquor was recovered.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He was not



arrested from the spot and nothing has been recovered from his conscious possession. The recovery of liquor was made from an open space where it was kept in an abandoned condition and the petitioner has got no concern with the said space. In fact the said house from which recovery has been shown is an abandoned house and absence of any family members in the house clearly shows that the house was not used for residential purpose. The police has deliberately suppressed the fact that the house was not occupied. It was also not believable that in the afternoon, police could not find any independent witness. Charge sheet has been submitted in this case and the petitioner is in custody since 11.01.2022.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that huge quantity of liquor was seized from the house of the petitioner.

Having regard to the submissions made hereinabove and considering the fact that charge sheet has been submitted and further considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge



Excise, Khagaria in connection with Maheshkhunt P.S. Case No.
128 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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