

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26156 of 2022

Arising Out of PS. Case No.-74 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

Sanjay Ram Son Of Suresh Ram R/O Village- Patahi Roop, P.S.- Sadar,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2022 Heard Mr. Alok Kumar Alok, learned counsel
appearing on behalf of the petitioner and Mrs. Pushpa Sinha,
learned Additional Public Prosecutor for the State through video
conferencing.

Petitioner seek bail in a case registered in connection
with Excise P.S. Case No. 74 of 2022, P.R No. 01 of 2022 for an
offence punishable under Section 30(a) of Bihar Prohibition &
Excise Act.

As per the prosecution case, it is alleged that the
police on a secret information, conducted raid and on search
total 403.800 liters of illicit foreign liquor was recovered within
the four corner boundary of the petitioner.

Learned counsel appearing on behalf of the petitioner



submits that the alleged recovery has been made from the place adjacent to the house of the petitioner and was not under his control. It is next submitted that the petitioner is a disabled person, having fair antecedent is in custody since 23.01.2022 and he has no concern with the alleged recovered liquor. It is next submitted that the investigation of the crime is already completed and the charge-sheet has been submitted and he is ready to give undertaking that he will co-operate in the trial.

On the other hand, learned counsel for the State opposed the bail application and fairly submits that recovery has been made from the house of the petitioner.

Having regard to the submissions made on behalf of the parties and considering the fact that recovery has been made adjacent to the house of the petitioner which is accessible to all and moreover, this petitioner being a handicapped person and is in custody since 23.01.2022, moreover, investigation has already been completed and charge-sheet has been submitted, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise) Court, Muzaffarpur in connection with Excise case no. 74 of 2022 subject to the condition that one of



the bailors will be the close relative of the petitioner with further conditions which are as follows.

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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