

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27762 of 2022

Arising Out of PS. Case No.-577 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Raj Kumar Sah @ Raj Kumar Son Of Surendra Sah R/O Village- Minapur,
P.S.- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

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

of four weeks from today.

The petitioner seeks bail in connection with Hajipur

Sadar P.S. Case No. 577 of 2021 registered for the offence under

Section 414 of the Indian Penal Code and 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 13.03.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there is recovery of 100 litres of IMFL/country made liquor from the tempo bearing registration no. BR31GB-4812.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner disclosed by the co-accused, namely, Rajiv Kumar. It is submitted that no recovery of illicit liquor was made from the possession of the petitioner. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that recovery of illicit liquor was not made from the physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, as there is no recovery of illicit liquor was made from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Hajipur Sadar P.S. Case No. 577 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 Exclusive



Special Excise Court No. 1-cum-Additional District and Sessions Judge, Vaishali at Hajipur/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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