

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29611 of 2022

Arising Out of PS. Case No.-220 Year-2021 Thana- MOHAMMADPUR District- Gopalganj

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RAMAYAN RAI Son of Late Shiv Bachan Rai R/o village - Bahrapur, P.S. -
Baikunthpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate

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

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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
Mahammadpur P.S. Case No. 220 of 2021 registered for the
offence under Sections 272, 273, 328, 307, 304, 120(b) and 34
of the Indian Penal Code and Sections 30(a), 37(b), 33 and 34 of
the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 12.04.2022.



The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 5.8 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the house of the co-accused, namely, Chhatu Ram, wherein after recovery, it was confessed by him that it was the petitioner, who supplied this consignment. It is further submitted that said Chhatu Ram, has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 26693 of 2022 dated 29.07.2022.. It has been submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been 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 Mahammadpur P.S. Case No. 220 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 Sessions Judge II-cum-Spl. Excise Court I,



Gopalganj/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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