

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34174 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- SOHSARAI District- Nalanda

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Raja Kumar @ Anda Son of Chotte Chaudhary Resident of Mohalla Mansoor
Nagar, P.S.- Sohasarai, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-09-2022 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 Sohasarai P.S. Case
No. 25 of 2022 registered for the offence under Section 30(a),
33, 34, 36 of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.02.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 282 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that name of the petitioners surfaced on the basis of confessional statement of co-accused namely, Karu Paswan, where nothing surfaced/recovered from the possession of this petitioner to connect, *prima facie*, with alleged recovery. It has been submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, while opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the alleged 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 Sohasarai P.S. Case No. 25 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Special Judge- II, Excise, Nalanda at Biharsharif/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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