

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29607 of 2022

Arising Out of PS. Case No.-443 Year-2020 Thana- RAJAOLI District- Nawada

Bhajju Rajbanshi Son of Rohan Rajbanshi Resident Of Village- Kharwan,
P.S- Sirdala , Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Md. Aslam Ansari, 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 seek bail in connection with Rajauli
P.S. Case No. 443 of 2020 registered for the offence under
Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner are named in the F.I.R. and are
in custody since 13.01.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 60 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of illicit liquor is made from the open



field like bank of river, where nothing recovered from the conscious physical possession of the petitioner. It is 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 was not 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 Rajauli P.S. Case No. 443 of 2020 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.2, Nawada/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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