

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29877 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- NOKHA District- Rohtas

1. RAJKUMAR SINGH Son of Ramchandra Singh Resident of Village - Yadutola, P.s.- Nokha, Distt.- Rohtas.
2. SHIVKUMAR SINGH Son of Ramchandra Singh Resident of Village - Yadutola, P.s.- Nokha, Distt.- Rohtas.
3. BALIRAM SINGH @ BALI RAM Son of Ramchandra Singh Resident of Village - Yadutola, P.s.- Nokha, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Bhardwaj, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-08-2022 Heard learned counsel appearing on behalf of the petitioners 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 petitioners seek bail in connection with Nokha P.S. Case No. 106 of 2022 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioners are named in the F.I.R. and are in custody since 29.03.2022.

The allegation against the petitioners is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there is recovery of 180.800 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioners submitted that recovery of illicit liquor was made from three different houses of the petitioners, which were jointly occupied, where nothing recovered from the conscious physical possession of the petitioners. It is submitted that petitioner no. 1 & 2 are men of clean antecedent, whereas petitioner no.3 involved in one more criminal case, in which he is on bail. It is further submitted that seizure list is not supported by independent witnesses which appears to be in violation of Section 100(4) of Cr.P.C. 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 seizure list is disputed coupled with the fact that charge-sheet has been submitted, let the petitioners, above named, are directed to be released on bail in connection with Nokha P.S. Case No. 106 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional



Sessions Judge XIII-cum-Special Judge Excise-II, Rohtas at
Sasaram/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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