

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32257 of 2022

Arising Out of PS. Case No.-517 Year-2021 Thana- MALSALAMI District- Patna

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TUFANI RAY SON OF CHINTA RAY R/O- NURUDINGANJ GHAT, P.S.-
MALSALAMI, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-08-2022 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
Malsalami P.S. Case No. 517 of 2021 registered for the offence
under Sections 30(a), 38(i) and 41(i) of the Bihar Prohibition
and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.04.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 300 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that recovery is made from the tempo which is not connected in any manner with petitioners, where illicit liquor was recovered. It is submitted that petitioner is a man of clean antecedent. It has further 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 the alleged recovery of illicit liquor has not been made from the conscious physical possession of the petitioner, who is a man of clean antecedent 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 Malsalami P.S. Case No. 517 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 Special Judge, Excise, Patna City, (Patna)/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-
Ravishankar/-

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