

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33827 of 2022

Arising Out of PS. Case No.-150 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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RAMESH RAI @ RAMESH KUMAR SON OF CHANDESHWAR RAI
Resident of Village - Rampur Bhishampur, Mirampur, Alakh Deori, P.s.-
Raghopur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, 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 C2A P.S.
Case No. 150 of 2021 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the prosecution
report and is in custody since 20.11.2021.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 351 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the cattle shed which is situated behind the house of the petitioner, which is accessible by general public. It is submitted that nothing recovered from conscious physical possession of the petitioner, who is a man of clean antecedent. It has further been submitted that investigation is complete.

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, who is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with C2A P.S. Case No. 150 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-Special Judge (Excise Act) Vaishali at Hajipur/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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