

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34311 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- DANAPUR District- Patna

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NIRAJ KUMAR @ NEERAJ KUMAR Son of Baldeo Paswan Resident of
Village - C/o Bhola Paswan Near Shashtri Bhawan, P.s.- Shastri nagar, Distt.-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Narayan, Advocate

For the Opposite Party/s : Mr.Madan Kumar, 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 Danapur
P.S. Case No. 118 of 2022 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 17.02.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 250 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from tempo, which was jointly occupied, denying thereof recovery of illicit liquor from conscious physical possession of the petitioner, who is a man of clean antecedent. 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 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 Danapur P.S. Case No. 118 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 learned Special Judge, Excise Act, Danapur, Patna/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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