

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36861 of 2022

Arising Out of PS. Case No.-170 Year-2020 Thana- VAISHALI District- Vaishali

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Saroj Singh @ Saroj Kumar @ Saroj Kumar Singh Son of Parmanand Singh
R/O- Vill- Makhua, P.S.- Vaishali (Belsar OP), Dist.- Vaishali At Hazipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Vaishali
P.S. Case No. 170 of 2020 registered for the offence under
Section 414 of the I.P.C. and 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 11.05.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 1278.72 litres of IMFL/country made liquor from



the alleged ACE Tata vehicle bearing registration no. BR-01GC-3715.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of secret input received by police. It is also submitted that the alleged recovery of illicit liquor was made from the Tata ACE vehicle parked in front of the house of the one co-accused Sonelal Ram. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that recovery of illicit liquor was not made from the physical possession of the petitioner, as per seizure list.

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 Vaishali P.S. Case No. 170 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 Court of learned



Exclusive Special Excise Court No.-II-cum-Additional Sessions
Judge, Vaishali at Hajipur/concerned court, subject to the
conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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