

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36531 of 2022

Arising Out of PS. Case No.-84 Year-2019 Thana- SALIMPUR District- Patna

Prince Rai @ Prince Kumar Singh @ Prince Kumar Son of Nageshwar Ray
R/O Village- Gayaspur Mahaji, P.S.- Salimpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

For the Opposite Party/s : Mr.Asha Kumari

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 Salimpur
P.S. Case No. 84 of 2019 registered for the offence under
Sections 30(a), 32(1)(2), 38(1)(2), 41(1) and 47 of the Bihar
Prohibition and Excise Act, 2018.

The accused/petitioner is not named in the F.I.R. and
is in custody since 18.10.2021.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 3476.250 litres of IMFL/country made liquor from
the alleged Pick Up Van.



Learned counsel appearing on behalf of the petitioner submitted that the petitioner is not named in the F.I.R. and his name surfaced on the basis of confessional statement of co-accused and admittedly, recovery of illicit liquor was not made from his possession. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, 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 alleged illicit liquor has not been 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, 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 Salimpur P.S. Case No. 84 of 2019 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,



Barh/concerned court, subject to the conditions as mentioned
under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

