

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37702 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- GANGABRIDGE District- Vaishali

RISHI RAJ @ RAJU Son of Late Ramesh Kumar Resident of village-
Netajee Nagar, Bahadurgarh P.S.- Linepar District Jhajhar (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate
For the Opposite Party/s : Mr.Narsingh Tanti, APP

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 Ganga
Bridge P.S. Case No. 66 of 2022 registered for the offence under
Sections 467, 468, 471, 420, 120-B and 34 of the Indian Penal
Code and Sections 30(a), 36 and 41(1) of the Bihar Prohibition
and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 17.03.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there is recovery of 2240.25 litres of IMFL/country made liquor is made from the alleged Truck.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is the driver of the alleged vehicle from where recovery of illicit recovery was made. It is submitted that nothing surfaced during the course of investigation which may suggest that petitioner was aware about consignment of illicit liquor, who is otherwise a man of clean antecedent. It has been submitted that investigation is complete, where 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 the petitioner is a driver of the alleged truck.

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 Ganga Bridge P.S. Case No. 66 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 Additional Sessions Judge-cum-Special
Excise Court No.1, Vaishali at Hajipur/concerned court, subject
to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

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