

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38610 of 2022

Arising Out of PS. Case No.-1046 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

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DILIP KUMAR CHAUDHARY @ DILIP CHAUDHARY Son of Late
Sukhnandan Chaudhary Resident of village - Daulatpur, P.S. - Hajipur Sadar,
District – Vaishali. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Sandesh Roy, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

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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 Sadar
P.S. Case No. 1046 of 2021 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 27.04.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 741.6 litres of IMFL/country made liquor from the
alleged vehicle.

Learned counsel appearing on behalf of the petitioner
submitted that the recovery of alleged illicit liquor was made
from alleged Tata Magic vehicle which parked beside the road,



where the name of petitioner surfaced on the basis of secret information given by police and nothing surfaced during the course of investigation, which may connect the petitioner with alleged recovery. 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 opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was not made from the 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 Sadar P.S. Case No. 1046 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 Exclusive Special Judge Excise-cum-Additional District and Sessions Judge, Hajipur, Vaishali/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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