

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39032 of 2022

Arising Out of PS. Case No.-392 Year-2022 Thana- MAHUA District- Vaishali

RAHUL RAJ Son of Sanjay Chaurasiya @ Sanjay Bhagat Resident of Village
- Harpur Belwa, P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Prakash

For the Opposite Party/s : Mr.Amit Kumar Rakesh

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 Mahua
P.S. Case No. 392 of 2022 registered for the offence under



Sections 414/34 of I.P.C. and under Sections 30(a), 32(ii), 34(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 23.06.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 3574.08 litres of IMFL/country made liquor from the alleged vehicle.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of secret information received by Police and admittedly, no illicit liquor was recovered from the physical possession. It is submitted that nothing surfaced during the course of investigation to connect the petitioner with the present recovery.

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 conscious physical possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Mahua P.S. Case No. 392 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 Excise Judge-2nd 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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