

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 41903 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- DEWARIA District- Muzaffarpur

1. JAI LAL RAM Son of Rohit Ram R/o Village - Brahampura, P.S.- Paroo, District - Muzaffarpur.
2. Mukesh Kumar Ram Son of Late Jai Lall Ram R/o Village - Bhediyahi, P.S.- Kathaiya, District - Muzaffarpur.
3. Santosh Ram Son of Late Ram Nath Ram R/o Village - Brahampura, P.S.- Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar Paswan, Advocate

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 Heard learned counsel appearing on behalf of the

petitioners 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 petitioners seek bail in connection with Deoriya
P.S. Case No. 42 of 2022 registered for the offence under
Sections 272 and 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioners are named in the F.I.R. and in
custody since 16.03.2022.

The allegation against the petitioners is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 37 litres of IMFL/country made liquor from the
alleged hut.



Learned counsel appearing on behalf of the petitioners submitted that recovery of illicit liquor was made from the hut which is not connected in any manner with petitioners, who are men 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, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been made from the conscious physical possession of the petitioners, who are men of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioners, above named, are directed to be released on bail in connection with Deoriya P.S. Case No. 42 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Judge-II, Muzaffarpur/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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