

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41424 of 2022

Arising Out of PS. Case No.-386 Year-2022 Thana- MADHAURAH District- Saran

Vidyarthi Raj Nishant Son of Ranjit Kumar Upadhyay @ Ranjit Upadhyay
R/O Village- Raipura, P.S.- Bheldi, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Bhaskar, Advocate

For the Opposite Party/s : Mr.Chandra Sen Kumar Singh, AAP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 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 Marhowrah
P.S. Case No. 386 of 2022 registered for the offence under Sections
420, 467, 468 and 471 of the Indian Penal Code and Section 30(a)
and 41(2) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.06.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there is recovery
of 3051 litres of IMFL/country made liquor from the alleged vehicle.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner was engaged as a labour to unload the



alleged truck from where recovery of illicit liquor was made. It is further submitted that being engaged as labour, petitioner can not be said having knowledge about the consignment. It has categorically 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 petitioner appears to be engaged as a labour to unload the alleged truck 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 Marhowrah P.S. Case No. 386 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 2nd Exclusive Special, Excise Court, Saran at Chapra/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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