

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44488 of 2022

Arising Out of PS. Case No.-186 Year-2022 Thana- AMNAUR District- Saran

=====

Lal Saheb Rai S/o Late Sagar Rai R/o village- Sirisiya Jagdeo, P.S.- Ammour,
District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Atul Chandra, APP.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-10-2022 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, within a

period of four weeks from today.

Heard Mr. Ashok Kumar Sinha, learned counsel for
the petitioner and learned APP for the State, through video
conferencing.

The petitioner seeks regular bail, who is in custody in
connection with Amnaur P.S. Case No. 186 of 2022, registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018 .

The police in course of patrolling duty, on a secret
information conducted raid and apprehended the petitioner. On
search from his physical possession 1.800 liters illicit liquor was
recovered. Thereafter, the house of the petitioner was raided and



from there 130 liters of country made liquor was recovered.

It is submitted by the learned counsel appearing on behalf of the petitioner that in fact nothing has been recovered from the person or possession of the petitioner and so far the recovery as has been shown from the house of the petitioner is concerned, the same is a joint residential house, where several persons reside and the petitioner cannot be made responsible for the same. He further submitted that the petitioner is a man of fair antecedent and is in custody since 30.06.2022, though the investigation of the crime is already complete and the charge-sheet has been submitted. He also submitted that there is other infirmities in the preparation of seizure list, apart from defiance of Section 100 of the Cr.P.C.

On the other hand learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is already complete and the charge-sheet has been submitted and there is no likelihood of commencement of the trial in near future and the petitioner having fair antecedent, is in custody since 30.06.2022, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees



twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II- cum- 1st Special Judge, Excise, Saran at Chapra, in connection with Amnaur P.S. Case No. 186 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

manoj/-

U		T	
---	--	---	--

