

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42994 of 2022

Arising Out of PS. Case No.-119 Year-2021 Thana- PATEPUR District- Vaishali

RAJAN PRASAD @ BITTU SINGH Son of Late Nawal Singh @ Nawal
Kishore Singh Resident of village- Bakhari Dowa, P.s- Goraul (kathara O.P)
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

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 Patepur
P.S. Case No. 119 of 2021 registered for the offence under
Sections 30(a), 32(ii), 38(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 13.07.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 2359.29 litres of IMFL/country made liquor from
different three vehicles.

Learned counsel appearing on behalf of the petitioner
submitted that name of the petitioner surfaced on the basis of



confessional statement of co-accused, namely, Deepak Kumar, and admittedly, it is not a case of recovery of illicit liquor from physical possession of the petitioner. It is submitted that seizure list is also disputed, as same is not supported by independent witnesses.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as seizure list appears to be doubtful in want of independent witnesses, where no recovery of illicit liquor was made from physical possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Patepur P.S. Case No. 119 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 Prohibition and Excise Court No.2-cum-Additional District and Sessions Judge, Hajipur at Vaishali/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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

