

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44631 of 2022

Arising Out of PS. Case No.-234 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

Ravi Prakash Singh Son of Satyendra Singh @ Satyadeo Singh R/v- Nuaon,
P.S- Vikramganj, Dist- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bandana Singh, Advocate

For the Opposite Party/s: Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-09-2022 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 Mohania P.S. Case No. 234 of 2022 registered for the offence under Sections 30(a)/36/41(1) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 06.05.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 164.160 litres of IMFL/country made liquor from alleged vehicle.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from vehicle which was jointly occupied and, as such cannot be said that the illicit liquor



was recovered from conscious physical possession of this petitioner. It has been submitted that petitioner is a man of clean antecedent and moreover, 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 petitioner, who is a man of clean antecedent 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 Mohania P.S. Case No. 234 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 Additional Sessions Judge 2nd-cum-Special Judge, Kaimur at Bhabhua/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

Pooja/-
Archana/-

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