

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46848 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- VIDYAPATINAGAR District- Samastipur

JAI NATH SAH Son of Bindeshwar Sah Resident of Village - Gobarsahi,
P.S.- Muzaffarpur Sadar, District- Muzaffarpur.

Vidyapatinagar P.S. Case No. 41 of 2022

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Chandra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-09-2022 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
Vidyapatinagar P.S. Case No. 41 of 2022 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.05.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 1017 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that recovery of illicit liquor was made from vehicle, which was sold by the petitioner to one, Rajnish Kumar, on 10.01.2022. It is submitted that an application, to transfer the name in the registration certificate (RC) is due. It has further been submitted that petitioner has been implicated in the present case, only for the reason, that Registration Certificate (RC) stands in the name of the petitioner. It is also submitted that this is not a case of recovery of illicit liquor from the conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, where implication appears due to Registration Certificate (RC), which still stands in the name 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 Vidyapatnagar P.S. Case No. 41 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 Special Judge, Excise Court-I,
Samastipur/concerned court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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