

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47884 of 2022**

Arising Out of PS. Case No.-141 Year-2021 Thana-
BIDUPUR District- Vaishali

=====

Rakesh Kumar @ Rakesh Kumar Singh Son of Late Balmiki
Singh Resident of Village - Rahimapur (Pethiya), P.s.-
Bidupur, Distt.- 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. Satya Nand Shukla, APP

=====

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA
SHEKHAR JHA**

ORAL ORDER

2 20-09-
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
Bidupur P.S. Case No. 141 of 2021 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 22.07.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 2428.92 litres of illicit IMFL /country made liquor from an place place.

Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was made from an open place near poultry farm of one namely, Bhushan Singh, which is an open place and accessible by general public. It is further submitted that seizure list is not supported by independent witnesses rather same is supported by police personnels. While concluding the argument, it has been submitted that investigation of this case has been completed, 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, as recovery of alleged illicit liquor was made from an open place 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 Bidupur P.S. Case No. 141 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 Excise Court No. 1-cum-Additional District & Sessions Judge, Hajipur, Vaishali/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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

