

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47882 of 2022

Arising Out of PS. Case No.-376 Year-2022 Thana- SHASTRINAGAR District- Patna

Ajeet Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neerad Parashar

For the Opposite Party/s : Mr.Renu Kumari

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
Shastrinagar P.S. Case No. 376 of 2022 registered for the offence
under Section 30(a), 32(ii)/36/42(ii) of the Bihar Prohibition and
Excise Act, 2022.

The accused/petitioner is named in the F.I.R. and is in
custody since 01.07.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 40 litres of illicit IMFL /country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that it was a coincidence that police raid was conducted



when petitioner was in house, from where alleged illicit liquor was recovered. It is further submitted that seizure list is not supported by independent witnesses rather by police personnels. It is also submitted that alleged plastic bag is not connected in any manner with this petitioner. 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 seizure list of recovery appears doubtful as same is not supported by independent witnesses 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 Shastrinagar P.S. Case No. 376 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, Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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