

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48577 of 2022**

Arising Out of PS. Case No.-330 Year-2022 Thana- RAJAOLI District- Nawada

Subodh Lal Son of Krishna Lal R/V- Baurhi Kala, PO and PS- Rajauli, Dist-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

2 26-09-2022 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 Rajauli
P.S. Case No. 330 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 05.07.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 277.5 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is not connected in any manner with



alleged Alto car, from where recovery of illicit liquor was made. It is further submitted that the seizure list is disputed, as same is not supported by independent witnesses rather by local Chaukidar. While concluding the argument, it has been submitted that as seizure list missing the signature of petitioner, clearly suggest that recovery of illicit liquor was not made from his conscious physical possession.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was not made from conscious physical possession of this petitioner in the background of disputed seizure list, let the petitioner, above named, is directed to be released on bail in connection with Rajauli P.S. Case No. 330 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 District and Session Judge 2nd cum-special Judge Excise, Nawada/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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