

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.49678 of 2022

Arising Out of PS. Case No.-184 Year-2022 Thana- KHODAWANDPUR District- Begusarai

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ARUN KUMAR @ ARUN MAHTO Son of Ramdaresh Mahto Resident of
Village - Goha, Ward no.4, P.s.- Hasanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yogesh Kumar, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-09-2022 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
Khodawandpur P.S. Case No. 184 of 2022 registered for the
offence under Section 30(a) and 32(c) of the Bihar Prohibition
and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.06.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 1170 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is a driver of alleged vehicle, from



where recovery of illicit liquor was made, having no knowledge to carry alleged illicit liquor. It is further submitted that petitioner is a man of clean antecedent. It is also submitted that seizure list is not supported by independent witnesses. While concluding the argument, it is submitted that investigation of this case is complete, where 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 is disputed and not supported by independent witnesses, where petitioner 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 Khodawandpur P.S. Case No. 184 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 I/c Exclusive Excise Judge-I, Begusarai/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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