

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51788 of 2022

Arising Out of PS. Case No.-177 Year-2021 Thana- JADIA District- Supaul

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1. Mithilesh Singh S/O Late Deep Narayan Singh Resident Of Village- Manganj, Ward No- 6, P.S.- Jadiya, Distrist- Supaul.
 2. Praveen Mandal S/O Raghu Mandal @ Raghunandan Mandal Resident Of Village- Manganj, Ward No- 6, P.S.- Jadiya, Distrist- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-10-2022 Heard learned counsel appearing on behalf of the
petitioners 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 petitioners seek bail in connection with Jadia P.S.
Case No. 177 of 2021 registered for the offence under Section 30(a)
of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioners are named in the F.I.R. and are in
custody since 15.07.2022.

The allegation against the petitioners is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 1730.88 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioners



submitted that the maximum allegation surfaced during the course of investigation against these petitioners is roaming around the place of recovery and admittedly, this is not a case of recovery of illicit liquor from conscious physical possession of these petitioners. While concluding the argument, it has been submitted that investigation of this case has been completed, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor not appears from conscious physical possession of these petitioners coupled with the fact that charge-sheet has been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Jadia P.S. Case No. 177 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 Special Judge Excise Court No. 1, Supaul/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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