

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51907 of 2022

Arising Out of PS. Case No.-361 Year-2020 Thana- TEGHRHA District- Begusarai

Pintu Kumar @ Kari Son of Binod Rai @ Vinod Ray R/O Village- Gaura, 01,
Ward No.-03, Ismailpur, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-10-2022 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 Teghra P.S.
Case No. 361 of 2020 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 30.07.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 13.125 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that the name of petitioner surfaced on the basis of
confessional statement of apprehended co-accused person namely,



Raja Babu and admittedly, this is not a case of recovery from physical possession of this petitioner. It is further submitted that seizure list appears disputed as same is not supported by independent witnesses, rather by police personnels. 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 this petitioner as seizure list appears disputed being 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 Teghra P.S. Case No. 361 of 2020 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 Specials 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)

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