

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52481 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- CHEWARA District- Sheikhpura

Rajesh Kumar Son of Late Mirjal Rajwanshi R/V- Ranihatti, P.s- Kadirganj
O.P, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State
through virtual Court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Chewada
P.S. Case No. 29 of 2022 registered for the offence under Sections
272, 273 and 34 of I.P.C. and under Sections 30(a), 32 and 41(i)
of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 20.05.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 66.750 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is neither the owner nor connected in any manner with alleged vehicle from where, recovery of illicit liquor was made. It is further submitted that seizure list appears disputed being not supported by independent witnesses, rather by local Chaukidars. 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 seizure list is 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 Chewada P.S. Case No. 29 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 Exclusive Special Excise Judge, Sheikhpura/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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