

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53390 of 2022

Arising Out of PS. Case No.-146 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

=====

Ram Babu Chaudhary S/O Mahendra Chaudhary Resident of village- Kanu
Bishanpur, P.S.- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Excise P.S. Case No. 146 of 2022 registered for
the alleged offences under Section 30 (A) of the Bihar
Prohibition Act and Excise Act.

As per prosecution case, police received secret
information about running of manufacturing unit of illicit liquor
at a certain place. A raid was conducted and this petitioner was
apprehended after chase. Recovery of total 250 litres of illicit
chulai liquor was made from the spot and about 3000 litres of



raw material was also found which got destroyed during its extraction. Some implements used for manufacturing of the illicit liquor were also recovered.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the conscious possession of this petitioner. It is also evident from the FIR that the land from which the recovery has been made belongs to one Akri Devi but she has not been made accused in this case. So far as the recovery of motorcycle is concerned it was made from the place of occurrence but the co-accused took his motorcycle and the petitioner has got no knowledge about the motorcycle being used in transportation of the liquor. Learned counsel for the petitioner further submits that the petitioner is in custody since 20.05.2022 and charge sheet has been submitted.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the submission of charge-sheet and the period of custody of this petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to



the satisfaction of learned Special Judge Excise-2, Samastipur in connection with Excise P.S. Case No. 146 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Rajnish/-

U		T	
---	--	---	--

