

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53044 of 2022

Arising Out of PS. Case No.-205 Year-2022 Thana- KHAJEKALA District- Patna

Gonu Ray Son of Mantu Ray Resident of Village - Diwan Mohalla Sidhighat,
P.s.- Khajekala, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-10-2022 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 Khajekala
P.S. Case No. 205 of 2022 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 09.07.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 61 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that major quantity of liquor out of alleged recovered



61 litres was recovered from open place as road and just to implicate petitioner falsely 1 litre shown in his possession. It is further submitted that seizure list also appears disputed being 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 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 Khajekala P.S. Case No. 205 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 Judge, Excise, Patna City/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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