

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54323 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- PIPRIYA District- Lakhisarai

Bablu Singh Son of Late Balram Singh R/O Village- Laldiara, P.S.- Piparia,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-10-2022 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 Piparaia P.S.
Case No. 34 of 2022 registered for the offence under Section 25(1-
B)a, 26 of Arms Act and 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 21.06.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 12 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of illicit liquor was made from the roof of the



house of this petitioner which is accessible by other family members and as such it cannot be said that recovery of illicit liquor was made from the conscious physical possession of this petitioner. It is also submitted that seizure list appears disputed being not supported by independent witnesses, rather by police personnels. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, 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 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 Piparia P.S. Case No. 34 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 Additional Sessions Judge-Vth-cum-Exclusive Special Court 2, Excise Act, Lakhisarai/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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