

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54871 of 2022

Arising Out of PS. Case No.-288 Year-2020 Thana- UJIYARPUR District- Samastipur

Bidio Ray @ B. D. O. Rai Son of Ram Charitra Rai @ Chalitra Rai R/V-
Samartha , P.S- Bibhutipur Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No.1, Advocate
For the State : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 Ujiarpur
P.S. Case No. 288 of 2020 registered for the offence under
Sections 30(a) and 41(I)(II) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 04.06.2022.

The allegation against the petitioner is to be involved
in illegal trading of illicit liquor, where 159.840 liters of foreign
liquor was recovered from a car.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner was not apprehended at the spot and no recovery was made from the conscious physical possession of the petitioner. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as recovery of illicit liquor is not appearing from the conscious physical possession of the petitioner coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ujiarpur P.S. Case No. 288 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 Special Excise Court-1, Samastipur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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