

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54481 of 2022

Arising Out of PS. Case No.-155 Year-2022 Thana- BUDDHACOLONY District- Patna

Raja Dhangar @ Raja Kumar Son of Chamru Dhangar R/O China Kothi, P.S.-
Budha Colony, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Jain, Advocate
For the Opposite Party/s : Ms. Suman Kumari Singh, 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 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 Budha
Colony P.S. Case No. 155 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 14.06.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 40 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of alleged illicit liquor was made from outer
room of the house belongs to this petitioner which is also occupied



by other family members and as such it cannot be said that recovery of illicit liquor was made from conscious physical possession of this petitioner. It is further pointed out that petitioner involved in two more criminal cases, where he is on bail in one case. 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 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 Budha Colony P.S. Case No. 155 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 Special Judge, Excise, Patna/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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

