

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60624 of 2022

Arising Out of PS. Case No.-347 Year-2022 Thana- BHAGWAN BAZAR District- Saran

Manoj Rai Son of Sadhu Rai R/V- Chhota Brahmpur, P.S- Bhagwan Bazar,
Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Dewendra Narayan Singh, Advocate
For the State : Mr. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State
through virtual Court proceedings.

The petitioner seeks bail in connection with Bhagwan
Bazar P.S. Case No.347 of 2022 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.07.2022.

The allegation against the petitioner is to be in illegal
possession of illicit liquor, where, there was recovery of 400



litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of apprehended co-accused person, where nothing surfaced/recovered during the course of investigation, which may connect this petitioner with the alleged set of recovery. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above as recovery of illicit liquor not appears to be made from conscious physical possession of the petitioner coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with Bhagwan Bazar P.S. Case No.347 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 District and Sessions Judge II-cum-Exclusive Special Judge,



Excise, Saran, Chapra/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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