

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58163 of 2022

Arising Out of PS. Case No.-232 Year-2022 Thana- MANER District- Patna

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Suman Kumar S/O Binod Rai @ Vinod Rai Resident of Village- Chhitnawan,
P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary, Advocate
For the State	:	Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 Maner
P.S. Case No. 232 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 30.08.2022.

The allegation against the petitioner is to be involved
in illegal trading of illicit liquor, where 73.500 liters of illicit
foreign liquor was recovered.



Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor was made from the abandoned house with which, petitioner is not connected in any manner and, as such, it can not be said that the recovery of alleged illicit liquor was made from the conscious physical possession of the petitioner. It is further pointed out that petitioner is involved in three more criminal cases and merely on the basis of his criminal antecedent, he has been implicated in the present case. It is also pointed out that the seizure list appears doubtful being not supported by independent witnesses rather by Bihar Home Guard Personnel. 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 alleged recovery of illicit liquor was made from the abandoned place 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 Maner P.S. Case No. 232 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 Excise Judge, Danapur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-
S.Tripathi/-

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