

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56041 of 2022

Arising Out of PS. Case No.-216 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Raja Kumar @ Komal Kumar S/O Babu Saheb @ Sanjeev Kumar Resident
Of Village- Manjhaul, Nityanand Chowk, P.S.- Cheriya Bariyarpur, District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-10-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel 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 Cheriya
Bariyarpur P.S. Case No. 216 of 2022 registered for the offence
under Sections 188 of 290 of the Indian Penal Code and also
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 07.09.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 212.01 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that recovery of illicit liquor was made from sugarcane field of one, Umesh Singh, which is not connected in any manner with the petitioner. It is further submitted that name of the petitioner surfaced on the basis of suspicion as raised through secret information. It is also submitted that seizure list appears disputed, being not supported by independent witnesses rather by police personnels.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was made from the open field, in the background of doubtful seizure list, let the petitioner, above named, is directed to be released on bail in connection with Cheriya Bariyarpur P.S. Case No. 216 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 Exclusive Special Excise Judge-I, Begusarai/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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