

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56188 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- DESARI District- Vaishali

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Dilip Kumar @ Dilip Rai S/O Brahmdev Rai Resident of village- Jadia Ward
No- 2, P.S.- Jadia, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nilendu Kumar Choudhary, Advocate
For the State	:	Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-11-2022 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 Desari
(Chandpura O.P) P.S. Case No. 133 of 2022 registered for the
offence under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.08.2022.

The allegation against the petitioner is to be involved
in illegal trading of illicit liquor, where 769.350 liters of foreign



liquor was recovered from a pick-up van.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of driver of the alleged pick-up van, namely, Dipak Kumar, from where recovery of illicit liquor was made. It is further submitted that recovery of illicit liquor was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent. 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 not appears to be made 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 Desari (Chandpura O.P) P.S. Case No. 133 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 Court No.1-cum-Additional



District and Sessions Judge, Vaishali at Hazipur/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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