

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56759 of 2022

Arising Out of PS. Case No.-242 Year-2022 Thana- ARARIA District- Araria

Md. Babloo @ Babloo @ Md. Bablu Son of Rihad Resident of Village-
Rupaili, Ward No.- 06, P.S.- Araria (R.S.O.P.), District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramesh Kumar Singh, Advocate
For the State	:	Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-11-2022 At the outset, learned counsel for the petitioner submitted that in the prayer portion, at page no.6, of the bail petition, inadvertently, police station case number has been wrongly typed as ‘Araria P.S. Case No. 242 of 202’ instead of ‘Araria P.S. Case No. 242 of 2022’.

Accordingly, learned counsel for the petitioner is permitted to make necessary correction during the course of the date itself.

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 Araria P.S. Case No. 242 of 2022 registered for the offence under Sections 30(a) and 41 of Bihar Prohibition and Excise Act 2016.



The accused/petitioner is named in the F.I.R. and is in custody since 24.08.2022.

The allegation against the petitioner is to involve in illegal trading of illicit liquor, where 483.75 liters of IMFL was recovered.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of disclosure made by co-accused, namely, Md. Imran and, admittedly, 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 Araria P.S. Case No. 242 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 Exclusive Special Judge Excise-I, Araria /concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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

