

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58991 of 2022

Arising Out of PS. Case No.-33 Year-2021 Thana- SARAIYA District- Muzaffarpur

Parmod Rai Son Of Rudal Rai R/O Village- Rampur Fago, P.S.- Saraiya,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Nilendu Kumar Choudhary, Advocate
For the State	:	Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-11-2022 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 Saraiya P.S.
Case No. 33 of 2021 registered for the offence under Sections 272,
273 and 34 of the Indian Penal Code and Sections 30(a) and 36 of the
Bihar Prohibition and Excise (Amendment) Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 31.08.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 4825.2 litres of illicit IMFL liquor/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that the name of the petitioner surfaced on the basis of
secret information as received by police spy, where nothing surfaced



during the course of investigation to connect this petitioner with present set of recovery of alleged illicit liquor, which admittedly, not recovered from physical possession of the petitioner, who is a man of clean antecedent and moreover, investigation in this case is completed for which charge sheet has been submitted, and as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as recovery of alleged illicit liquor not appears to be made from conscious physical possession of this petitioner, coupled with the fact that charge sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Saraiya P.S. Case No. 33 of 2021 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 Judge Excise Court No-II, Muzaffarpur/concerned Court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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