

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60794 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- PAROO District- Muzaffarpur

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Ajay Rai Son of Mr. Bhola Rai Resident of Village- Damodarpur, P.S.- Paroo,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, 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 counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with Paroo P.S.

Case No. 141 of 2021 registered for the offence under Sections

30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act,

2018.

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

custody since 03.06.2022.

The allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there



was recovery of 3211.56 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner, surfaced on the basis of secret information and identified by chowkidar, as one of the amongst co-accused who found running away from the place of recovery, where admittedly, alleged illicit liquor was not recovered from the conscious physical possession of the petitioner. It is further submitted that seizure list is not supported by independent witnesses, rather by police personnel. While concluding the argument, it has been submitted that investigation is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor has not been made from the conscious physical possession of the petitioner, in the background of doubtful seizure list 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 Paroo P.S. Case No. 141 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 conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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