

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62787 of 2022

Arising Out of PS. Case No.-354 Year-2022 Thana- NADI P.S. District- Patna

Sanjay Ray Son Of Balkishun Ray R/O Village- Fatehjampur, P.S- Nadi,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Jay Ram Prasad, Advocate
For the State	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State
through virtual Court proceedings.

The petitioner seeks bail in connection with Nadi P.S.
Case No.354 of 2022 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.09.2022.

The allegation against the petitioner is to be involved
in illegal trading of illicit liquor, where, there was recovery of



150 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that name of petitioner surfaced on the basis of disclosure made by co-accused, namely, Ajab Ray, where, admittedly, nothing surfaced during the course of investigation to connect this petitioner with the recovery of illicit liquor. It is also submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as the recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has been submitted, let above named petitioner directed to be released on bail in connection with Nadi P.S. Case No.354 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 Special Judge, Excise, Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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