

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62011 of 2022

Arising Out of PS. Case No.-370 Year-2022 Thana- NADI P.S. District- Patna

Sonu Kumar Son of Awdesh Ray Resident of Village - Mohanpur, P.S.-
Raghopur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the State : Mr. Shyam Bihari Singh, 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.

Let the defect(s), if any, be removed within a period
of four weeks from today.

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

Case No. 370 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 26.09.2022.

The allegation against the petitioner is to have in
possession of 252 liters of country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of alleged illicit liquor not appears to be
made from conscious physical possession of the petitioner, who



is a man of clean antecedent. It is further submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. While concluding the argument, it is, categorically, 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 seizure list appears doubtful being not supported by independent witnesses rather by police personnel coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nadi P.S. Case No. 370 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 City/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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