

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62385 of 2022

Arising Out of PS. Case No.-142 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Dheeraj Kumar Son of Jiyalal Rai Resident of Village- Shekhpura, P.S. and
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 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
Gopalganj Excise P.S. Case No. 142 of 2022 registered for the
offence under Sections 30(a) of the Bihar Prohibition and Excise
Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 23.08.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is



recovery of 172.800 litres of IMFL/country made liquor from the dickey of Bolero.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor was made from the dickey of Bolero vehicle, where nothing surfaced during the course of investigation, which may suggest that petitioner was under knowledge to carry consignment of illicit liquor. It is further pointed out that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, 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 seizure list appears doubtful, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Gopalganj Excise P.S. Case No. 142 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 Court of Additional District and Sessions Judge-IV-cum-Special Excise Court No. 2, Gopalganj/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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