

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61557 of 2022

Arising Out of PS. Case No.-350 Year-2022 Thana- BARAUNI District- Begusarai

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Raushan Kumar S/o Dinesh Singh R/o Village- Simariya-1 Milki Tola, P.S.-
Barauni, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate
For the Opposite Party/s : Mr.Parmanand Prasad, 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 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 Barauni

P.S. Case No. 350 of 2022 registered for the offence under

Sections 30(a) and 41(i) of the Bihar Prohibition and Excise

Act, 2018.

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

custody since 10.10.2022.



The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 1809.720 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 disclosure made by a person and, admittedly, recovery of alleged illicit liquor was not made from the conscious physical possession of the petitioner. It is further submitted that seizure list appears doubtful, being not supported by independent witnesses rather by police personnel.

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 the conscious physical possession of the petitioner coupled with the fact that seizure list appears doubtful, being not supported by independent witnesses, let the petitioner, above named, is directed to be released on bail in connection with It is further submitted that seizure list appears doubtful, being not supported by independent witnesses rather by police personnel on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Judge Ist, Begusarai/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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