

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64705 of 2022

Arising Out of PS. Case No.-357 Year-2022 Thana- RAGHOPUR District- Supaul

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Guddu Singh @ Binod Singh S/O Late Lal Bahadur Singh Resident of
village- Narha, Berdah, Ward No- 04, P.S.- Raghapur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Arind Kumar Pandey, APP, 84

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 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 Raghapur P.S.

Case No. 357 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 15.09.2022.

The allegation against the petitioner is to be engaged in

illegal trading/manufacturing of illicit liquor, where, there is recovery

of 18 litres of IMFL/country made liquor from from the alleged

vehicle.

Learned counsel appearing on behalf of the petitioner

submitted that as petitioner was mere a passer-by, where motorcycle



was parked at abundant place just below NH106, he was implicated in present case. It is also submitted that petitioner was falsely implicated in present case due to local enmities, as seizure witnesses are co-villagers. It is further pointed out that petitioner involved in 13 cases due to local disputes and differences, as of the present case, out of which he is on bail in 6 cases. While concluding the argument, it has been submitted that 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 recovery of alleged illicit liquor not appears to be made from the conscious physical possession of this petitioner 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 Raghapur P.S. Case No. 357 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 Exclusive Special Judge, Excise, Court No. 1, Supaul/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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