

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64575 of 2022

Arising Out of PS. Case No.-263 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

=====

Raja Kumar @ Abhishek Kumar S/o Ramesh Yadav @ Ramesh Kumar R/o
Village- Sukhasan, P.S.- Gwalpara (Arar O.P.), Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Advocate
For the State	:	Mr. Kumar Ranjit Ranjan, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State
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
Udakishunganj P.S. Case No. 263 of 2021 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 11.09.2022.



The allegation against the petitioner is to be involved in illegal trading of illicit liquor, where 469.8 liters of foreign liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of disclosure made by Prayag Kumar and Laltu Kumar, where nothing surfaced during the course of investigation to connect this petitioner, *prima facie*, with the alleged recovery of illicit liquor. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, 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 recovery of illicit liquor not appears to be made from conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Udakishunganj P.S. Case No. 263 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V-cum-Special Judge, Excise Act-I, Madhepura/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

