

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65281 of 2022**

Arising Out of PS. Case No.-110 Year-2022 Thana- KIUL RAIL P.S. District- Lakhisarai

Rahul Kumar Son of Deepak Sao R/v- Oiyab, Ward No. 5, P.S.- Asthwa,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, 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 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 Rail Kiul P.S.
Case No. 110 of 2022 registered for the offence under Section
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 22.09.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 16.500 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that alleged bag, from where illicit liquor was recovered,



is not connected in any manner with this 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 personnels. While concluding the argument, it is submitted that investigation of this case is 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 being not supported by independent witnesses coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Rail Kiul P.S. Case No. 110 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 Vth Additional District and Sessions Judge, Cum Exclusive Special Court-2, Excise Judge, Lakhisarai/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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