

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66241 of 2022

Arising Out of PS. Case No.-211 Year-2022 Thana- MAHNAR District- Vaishali

Rajendra Sah Son Of Satya Narayan Sah R/O Village- Parma Nandpur, P.S.-
Mahnar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State
through virtual Court proceedings.

The petitioner seeks bail in connection with Manhar P.S.
Case No.211 of 2022 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.09.2022.

The allegation against the petitioner is to be in illegal
possession of illicit liquor, where, there was recovery of 375.3
litres of illicit IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that as per seizure, admittedly the recovery of alleged illicit liquor was made from bathan (animal shelter) of one co-accused, namely Amarjeet Rai, and, as such, it can be safely gathered that alleged recovery was not made from the conscious physical possession of the petitioner. It is also submitted that petitioner is involved in 2 more criminal cases, where he is on bail. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as recovery of alleged illicit liquor not appears to be made from conscious physical possession of the petitioner coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with Manhar P.S. Case No.211 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 Excise Court No.2, Additional District and



Sessions Judge, Vaishali at Hajipur/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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