

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66008 of 2022

Arising Out of PS. Case No.-388 Year-2022 Thana- RAJAON District- Banka

1. Ajit Kumar Son of Lal Mohan Malakar R/V- Ishwari Tola, P.S- Maheshkhunt, Dist- Khagaria
2. Ranjan Thakur @ Ranjan Kumar Thakur Son of Late Shivnandan Thakur R/V- Ishwari Tola Banni P.S- Maheshkhunt, Dist- Khagaria
3. Amarjeet Kumar Son of Sikandar Sah R/V- Babu Bagicha Rohari , P.S- Maheshkhunt, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-12-2022 Heard learned counsel appearing on behalf of the petitioners 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 petitioners seek bail in connection with Rajoun (Babada O.P.) P.S. Case No. 388 of 2022 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioners are named in the F.I.R. and are in custody since 13.08.2022.



The allegation against the petitioners is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 136.5 litres of IMFL/country made liquor from the alleged car.

Learned counsel appearing on behalf of the petitioners submitted that all three petitioners took a lift, while returning from Deoghar and having no knowledge regarding alleged illicit liquor. It is submitted that none of the petitioners connected in any manner with alleged vehicle and recovered illicit liquor. It is also pointed out that seizure list appears doubtful, being not supported by independent witnesses, rather by chaukidar. While concluding the argument, it has been submitted that all petitioners are men of clean antecedents and moreover, investigation has been completed, for which, charge-sheet has already 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, where all petitioners are men of clean antecedents coupled with the fact that charge-sheet has been submitted, let all the three petitioners, above named, are directed



to be released on bail in connection with Rajoun (Nabada O.P.)
P.S. Case No. 388 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 Additional District
and Sessions Judge-II, Banka/concerned court, subject to the
conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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

