

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66340 of 2022

Arising Out of PS. Case No.-187 Year-2021 Thana- ISUAPUR District- Saran

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Lalan Rai Son of Late Gulab Chand Rai @ Gulab Chandra Ray @ Gulab Rai
R/v- Lauowa @ Lauvan, P.S.- Ishuapur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

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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 Ishuapur P.S.
Case No.187 of 2021 registered for the offence under Section 30
and 30(a) of the Bihar Prohibition and Excise.

The accused/petitioner is named in the F.I.R. and is in
custody since 01.11.2022.

The allegation against the petitioner is to be in illegal
possession of illicit liquor, where, there was recovery of 1200
litres of illicit IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced in the present case on the basis of confidential information received by the police in connection with the recovery of illicit liquor from the house of co-accused, namely Vijay Pandit and Jitendra Prasad. It is also submitted that as petitioner found involved in 3 more criminal cases, where he is on bail, his name surfaced in the present case out of suspicion gathered from previous criminal antecedents. 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 Ishuapur P.S. Case No.187 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 2nd



Additional Sessions Judge, 1st Exclusive Special Judge, Excise
Court Saran, Chapra/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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