

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29944 of 2023**

Arising Out of PS. Case No.-256 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

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Ajiur Rahman @ Azziur Rahman @ Azizur Rahman @ Ajijur Rahman, Son
of Ataur Rahman @ Attaur Rahman, Resident of village-Mulapur, Post-
Rithour, Tahsil and P.S.- Hafijganj, District - Bareilly (U.P.).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 04-07-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Durgawati P.S. Case No.256 of 2022 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The accused/petitioner is named in the FIR and is
in custody since 05.04.2023.

The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where
there was recovery of 2601.360 litres of illicit IMFL/country-
made liquor.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is the owner of the alleged vehicle, and no illicit liquor as alleged recovered from possession of this petitioner. It is further submitted that seizure list appears disputed being not supported by independent witnesses, rather by police personnels. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer for grant of bail to the petitioner.

In view of above-mentioned facts and circumstances, as alleged illicit liquor not appears to be recovered from petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 05.04.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise No.II, Kaimur at Bhabua in connection with Durgawati P.S. Case No.256 of 2022, subject to the conditions as laid down



under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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