

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29221 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- KAJRA District- Lakhisarai

MOHAN KORA son of Shivan Kora Village- Pachhiari Tola Kajara Ps-
Kajara Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhiraj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State

2. The petitioner seeks bail in connection with Kajara
P.S. Case No. 11 of 2023 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 24.01.2023.

4. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 40 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the



petitioner submitted that recovery of illicit liquor appears to be made from bag alleged to be carried by this petitioner alongwith other co-accused person and as such it can be safely said that recovery not appears to be made from the conscious physical possession of the petitioner. It is also submitted that seizure list appears doubtful being supported by police personnels rather by independent witnesses. While concluding the argument, it is submitted that petitioner found involved in one more case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

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

7. Considering the facts and circumstances as mentioned above as seizure list is not supported by independent witnesses rather by police personnels, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 24.01.2023, accordingly, above named petitioner is directed to be released on bail in connection with Kajara P.S. Case No. 11 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions



Judge-V-cum Exclusive Special Court-2, Excise Act,
Lakhisarai/concerned court, subject to the conditions as
mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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

