

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41952 of 2023

Arising Out of PS. Case No.-239 Year-2020 Thana- BAISI District- Purnia

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Lalgir Rai @ Lalgir Roy Son of Sita Ram Ray R/O Village-Mahua Singhray,
P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with Baisi
P.S. Case No. 239 of 2020 registered for the offence under Sections
272, 273 of the Indian Penal Code and Sections 30(a), 41 and 47 of
the Bihar Prohibition and Excise Act.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 16.06.2023.

5. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 708.480 litres of IMFL/country made liquor from alleged
vehicle.

6. Learned counsel appearing on behalf of the



petitioner submitted that the name of petitioner was disclosed by co-accused, namely, Sanjeev Yadav and he was arrayed in present F.I.R. with his mobile number. It is submitted that during the course of investigation, nothing incriminating appears, which may suggest that petitioner was involved in illegal trade of illicit liquor. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears to be made from conscious physical possession of this petitioner, where petitioner is in custody since 16.06.2023, accordingly, above named petitioner is directed to be released on bail in connection with Baisi P.S. Case No. 239 of 2020 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 Exclusive Special Court (Excise) No.- 01, Purnia/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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