

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45020 of 2023**

Arising Out of PS. Case No.-45 Year-2023 Thana- NOWKOTHI GARHPURA District-  
Begusarai

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RAJU KUMAR @ RAJU KUMAR SINGH @ NIRBHAY KUMAR @  
RAJU SINGH Son of Late Ashok Singh Resident of village - Bishanpur  
Chaturbhuji, ward no. 17, P.S. - Muffasil, Distt.- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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

2      01-08-2023                      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  
Naokothi P.S. Case No. 45 of 2023 registered for the offence  
under Sections 188/120(B), 30(a), 32(ii) of the Bihar Prohibition  
and Excise Act, 2016

4. The accused/petitioner is named in the F.I.R. and is  
in custody since 26.05.2023.

5. The allegation against the petitioner is to be  
engaged in illegal trading/manufacturing of illicit liquor, where,  
there is recovery of 1062 litres of IMFL/country made liquor



from the alleged vehicle.

6. Learned counsel appearing on behalf of the petitioner submitted that petitioner was not apprehended on the spot and his name appears in this case during the course of investigation on the basis of suspicion and secret information, where nothing surfaced as to incriminate petitioner, *prima facie*, with the present recovery of illicit liquor. It is submitted that one of the reason for implication of this petitioner is also the suspicion arises out of his criminal antecedents, as he found involved in 12 more criminal cases, where three cases is of similar nature and in all 12 cases, he is on bail and in maximum of cases, the name of petitioner arises out of suspicion/confession as of the present case.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above as alleged recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, where petitioner is in custody since 26.05.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Naokothi P.S. Case No. 45 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Special Judge Excise-I, Begusarai/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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