

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44913 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- CHHAURADANO District- East
Champaran

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Lal Baboo Kumar Son Of Rajmangal Paswan Resident Of Village Kudarkat,
Ps- Chhauradano, District- East Champaran.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh, 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

Chhauradano P.S. Case No. 131 of 2023 registered for the
offence under Sections 30(a), 32, 41(1) of the Bihar Prohibition
and Excise Act.

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

in custody since 11.05.2023.

5. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor, where,



there is recovery of 198 litres of IMFL/country made liquor from the Maize field.

6. Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor was made from the Maize field, which is an open place and accessible by general public and it can be said safely that recovery of alleged illicit liquor not appears to be made from the conscious physical possession of this petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above as alleged recovery of illicit liquor appears to be made from an open place, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 11.05.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Chhauradano P.S. Case No. 131 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 Excise Court No. 2,



East Champaran, Motihari/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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