

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45030 of 2023

Arising Out of PS. Case No.-440 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Araria

=====

BIJENDRA KUMAR ROY S/O SURENDRA ROY R/O Village- Sahabajpur,
(Tola Goraha), Ward No.-13, P.S- Jogbani, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

=====

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 Araria

Excise P.S. Case No. 440 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

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

in custody since 24.05.2023.

5. The allegation against the petitioner is to be

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



there is recovery of 381 litres of IMFL/country made liquor from the motorcycle.

6. Learned counsel appearing on behalf of the petitioner submitted that the alleged recovered motorcycle not appears to be connected in any manner with this petitioner, and as such, it can be safely said that recovery of alleged illicit liquor not appears to be made from his conscious physical possession. 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 not appears to be made from the conscious physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 24.05.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Araria Excise P.S. Case No. 440 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-II,
Araria/concerned Court, subject to the conditions as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

veena/-

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

