

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49621 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- NAUBATPUR District- Patna

RAJ KUMAR @ RAJU DEHATI S/O RAM KRIT SINGH R/O VILLAGE-
BARA, PS. NAUBATPUR, DIST. PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-08-2023 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Naubatpur P.S. Case No.89 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018 and Sections 25(i-b)a, 26 and 35 of the Arms Act.

3. The accused/petitioner is named in the F.I.R.
and is in custody since 09.02.2023

4. The allegation against the petitioner is to be
engaged in illegal trade of illicit liquor, where, there is recovery
of 4 litres of illicit liquor along with 3 live cartridges.

5. Learned counsel appearing on behalf of the
petitioner submitted that as in terms of seizure list, recovery not
appears to be made from conscious physical possession of this
petitioner, where, seizure list witnesses are also not an



independent witnesses, rather police personnels. 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 already submitted, as such, there is no chance of tampering with the evidence.

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

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as seizure list appears doubtful being not supported by independent witnesses coupled with the fact that charge-sheet has already submitted, where, petitioner is a man of clean antecedent and in custody since 09.02.2023, let the petitioner, above named, is directed to be released on bail in connection with Naubatpur P.S. Case No.89 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 Special Excise Judge, Danapur, Patna/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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