

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47053 of 2023

Arising Out of PS. Case No.-245 Year-2023 Thana- BARUN District- Aurangabad

=====

LALU SAROJ S/o Late Achchhelal Saroj R/o Village-Ramdayalganj, P.S.-
Mandiyahu, District-District-Jaunpur, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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

petitioner and learned counsel appearing on behalf of the State

2. The petitioner seeks bail in connection with Barun
P.S. Case No. 245 of 2023 registered for the offence under
Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The accused/petitioner is named in the F.I.R. and is in
custody since 05.06.2023.

4. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 432 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the
petitioner submitted that out of suspicion petitioner was chased for
a short distance and apprehended with present recovery of illicit
liquor without having any cogent materials, whereas he is
completely innocent and not connected in any manner with the



alleged recovery of illicit liquor or with the alleged vehicle carrying consignment of said liquor. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

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

7. Considering the facts and circumstances as mentioned above as recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 05.06.2023, accordingly, above named petitioner is directed to be released on bail in connection with Barun P.S. Case No. 245 of 2023 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 Special Judge, Excise-1st, Aurangabad/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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

