

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49908 of 2023

Arising Out of PS. Case No.-208 Year-2023 Thana- RAFIGANJ District- Aurangabad

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Rohit Kumar Son Of Ramadhar Singh Resident Of Village - Damai, P.S. -
Rafiganj, Distt. - Aurangabad.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate
For the Opposite Party/s : Mr.Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-08-2023 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
Rafiganj P.S. Case No. 208 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 21.05.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,



there is recovery 50 litres of IMFL/country made liquor from the alleged motorcycle.

6. Learned counsel appearing on behalf of the petitioner submitted that petitioner is neither owner nor driver and not connected in any manner with the alleged vehicle from where illicit liquor alleged to be recovered. It is also submitted that seizure list also appearing doubtful being not supported by independent witnesses, rather by 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 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 petitioner is not the owner of the motorcycle, where seizure list also appearing doubtful, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 21.05.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Rafiganj P.S. Case No. 208 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 Judge, Excise, I, Aurangabad (Bihar)/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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