

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48185 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- DARIYAPUR District- Saran

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LAL BIHARI RAI SON OF ACHARI RAY RESIDENT OF VILLAGE-
SAMANCHAK, PS- DARIYAPUR, DISTT -SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-08-2023 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
Dariyapur P.S. Case No. 113 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The accused/petitioner is named in the F.I.R. and is in
custody since 06.03.2023.

4. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 215 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the petitioner
submitted that recovered 210 litres of illicit liquor out of 215 litres
was made from house of co-accused, namely Kariman Rai and as
this petitioner was with him, he was also implicated falsely
showing recovery of 5 litres of illicit liquor from his physical



possession. 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 alleged illicit liquor not appears to be recovered from the conscious physical possession of the petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 06.03.2023, accordingly, above named petitioner is directed to be released on bail in connection with Dariyapur P.S. Case No. 113 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 1st Exclusive Special Judge, Excise, Saran at Chapra/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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