

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48286 of 2023**

Arising Out of PS. Case No.-34 Year-2023 Thana- BIRUPUR District- Lakhisarai

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RANVIJAY MAHTO R/O-CHAKDAH, P.S.-GHOSBARI, DISTT.-PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Ramakant Akela, Advocate

For the Opposite Party/s : Mr. Navin Kr. 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 Birupur
P.S. Case No. 34 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 09.06.2023.

4. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 10 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the petitioner



submitted that petitioner was apprehended on the spot itself, after being chased for a short distance out of suspicion that he was carrying illicit liquor through seized motorcycle and as such it can be safely said that recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioner. It is also submitted that seizure list appears 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 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 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 in custody since 09.06.2023, accordingly, above named petitioner is directed to be released on bail in connection with Birupur P.S. Case No. 34 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 Additional District and Sessions Judge-Ivth-cum-Special Excise



Judge-1st, Lakhisarai/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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