

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9852 of 2024**

Arising Out of PS. Case No.-38 Year-2023 Thana- MAKER District- Saran

Rajesh Sah @ Rajesh Kumar Sah Son of Late Naresh Sah @ Late Ram Naresh Sah R/o vill - Peer Maker, P.s. - Maker, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr.Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA**

ORAL ORDER

2      20-02-2024                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Maker P.S Case No. 38 of 2023 registered for the offences punishable under Sections 30 (a) Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, total 10 litre of illicit liquor was recovered from the plastic sack.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that no incriminating articles has been recovered from the conscious possession of the petitioner.



Learned counsel for the petitioner submitted that during entire course of investigation none of the independent witnesses have supported the case of prosecution except the members of raiding party. It is also submitted that petitioner is in judicial custody since 30.11.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and seizure list, and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 5,000/- (Five thousand) with two sureties of the like amount each to the satisfaction of learned 3<sup>rd</sup> Exclusive Special Excise Court, Saran at Chhapra in connection with Maker P.S Case No. 38 of 2023.

**(Ramesh Chand Malviya, J)**

Mayank/-

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