

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8047 of 2024

Arising Out of PS. Case No.-79 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.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Maker
P.S. Case No. 79 of 2023 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police, on receipt of
secret information, reached at the place of occurrence. On
seeing the police-team, the accused petitioner threw the Jhola
and fled away from the spot. On search, the police recovered 10
liters of illicit country-made liquor (Mahua) from the Jhola.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to dirty village politics and biased intention. He
further submits that nothing incriminating has been recovered
from the conscious possession of the petitioner. The petitioner



has nothing to do with the seized articles and moreover, the petitioner has no concern with the seized article or the other co-accused persons. He further submits that during entire course of investigation, none of the independent witnesses have supported the case of the prosecution except the members of the raiding party. The petitioner has three criminal antecedents as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 05.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the quantity of liquor being recovered, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maker P.S. Case No. 79 of 2023.

(Rudra Prakash Mishra, J)

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