

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36085 of 2024

Arising Out of PS. Case No.-228 Year-2022 Thana- NOKHA District- Rohtas

Surendra Chaudhary @ Surendra Singh Son of Raj Muni Chaudhary R/O
Village- Parsan Tola, P.S.- Nokha Dist.- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-06-2024 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

Nokha P.S. Case No. 228 of 2022 registered for the

offence under Section 30(a) and 30(c) of the Bihar

Prohibition and Excise Act, 2018.

3. The petitioner is named in the F.I.R. and is

in custody since 20.03.2024.

4. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where, there was recovery of 90 litres of illicit IMFL



liquor/country made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor and utensils which alleged to be used for manufacturing activities of country made liquor were found in open place accessibly by general public having no connection with petitioner. It is further submitted that nothing incriminating surfaced during the course of investigation, which may connect petitioner with alleged manufacturing activities of country made liquor. It is also submitted that seizure list also appears doubtful being not supported by independent witnesses, rather by police personnels. While concluding argument it is submitted that investigation has been completed and as such there is no chance of tampering of evidence.

6. Learned APP, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was made from an open place in the background of doubtful



seizure list, let the petitioner, above named, is directed to be released on bail in connection with Nokha P.S. Case No. 228 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Rohtas at Sasaram, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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