

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40207 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- ATHMALGOLA District- Patna

RAVINDRA RAY SON OF LATE SHIV SHARAN RAI @ SHIV SHARAN
RAY RESIDENT OF VILLAGE - NAYA TOLA SABNIMA, POLICE
STATION - ATHMALGOLA, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 31-08-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Athmalgola P.S. Case No. 137 of 2024 registered for the

offences under Section 30 (a) of the Bihar Prohibition

and Excise Act, 2018.

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

in custody since 28.04.2024.

4. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor,



where, there is recovery of 48 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that implication of this petitioner appears in present case only being registered owner of the motorcycle from where alleged illicit liquor was recovered. It is further submitted that recovery was not made from conscious physical possession of the petitioner. It is also submitted that seizure list appears doubtful being not supported by independent witnesses rather by local chowkidaar. While concluding the argument it is submitted that petitioner found involved in one more case, where he is on bail and moreover investigation 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 the State, opposes the prayer for bail.

7. In view of aforesaid facts and circumstances



as mentioned above as recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with Athmalgola P.S. Case No. 137 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Barh/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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