

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39468 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- SHEOHAR District- Sheohar

Raju Giri Son of Parmanand Giri Village- Parsauni Taiyab, Ps- Sheohar, Dist-
Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-07-2024 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

Sheohar P.S. Case No. 106 of 2024 registered for the

offences under Section 30 (a) of the Bihar Prohibition and

Excise Act.

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

custody since 12.04.2024.

4. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 59.100 litres of IMFL/country



made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the motorcycle. It is further submitted that motorcycle in issue is not connected in any manner with petitioner. It is submitted that recovery is not made from conscious physical possession of the petitioner, who is a man of clean antecedent. 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 found involved in three more cases, 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 the 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 as petitioner is in custody since 12.04.2024, where charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with Sheohar P.S. Case No. 106 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 Act, Sheohar/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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