

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41214 of 2024

Arising Out of PS. Case No.-172 Year-2024 Thana- CHAPRA TOWN District- Saran

Ram Babu Chaudhary, Son of Jawahir Chaudhary, Resident of Village-Police
Line Hawai Adda, P.S.- Town, District- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-06-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Town P.S. Case No.172 of 2024 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. The accused/petitioner is named in the FIR and
is in custody since 21.04.2024.

4. Allegation against the petitioner is to have in
possession of 160 liters of country-made illicit liquor and
also alleged to be involved in illegal trade arises out of said
illicit liquor.

5. It is submitted by learned counsel for the



petitioner that petitioner has been implicated falsely with present case, who is a man of clean antecedent. It is submitted that as per seizure list, alleged recovery of illicit liquor appears to be made from an open place i.e. a school, which is accessible by general public and, as such, it cannot be said the recovery of alleged illicit liquor was made from conscious physical possession of this petitioner. While concluding argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions, as recovery of alleged illicit liquor not appears to be made from conscious physical possession of this petitioner rather from an open place, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Special



Judge, Excise, Saran at Chapra in connection with Town P.S.
Case No.172 of 2024 subject to the conditions as laid down
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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