

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54187 of 2024

Arising Out of PS. Case No.-143 Year-2024 Thana- SONO District- Jamui

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Deepak Ray @ Suraj Kumar Ray, Son of Anil Ray @ Anil Prasad Ray,
Resident of Village- Sono, P.S.- Sono, Dist- Jamui.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikramadit MR, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 30-08-2024 1. Heard learned counsel appearing on behalf
- of the petitioner and learned Additional Public Prosecutor
- appearing on behalf of the State.
2. The accused/petitioner is named in F.I.R.
- and apprehending his arrest in connection with Sono P.S.
- Case No. 143 of 2024, registered for the offences
- punishable under Section 30(a) of Bihar Prohibition and
- Excise Act, 2018.
3. The allegation against the petitioner is to be
- engaged in illegal trading/manufacturing of illicit liquor,
- where, there is recovery 333 litres of IMFL/country
- made liquor from the house.



4. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner appears in this case on the basis of disclosure made by the co-accused Rajesh Sharma, in furtherance of which no incriminating material surfaced/recovered, as to suggest any connection of petitioner with alleged recovery of illicit liquor. It is submitted that compliance of Section 100(4) of Cr.P.C. was not appears to be followed in present case regarding search of premises, from where alleged illicit liquor was recovered. It is also pointed out that seizure list witnesses are police personnels and moreover, the petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as alleged recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, 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 Exclusive Special Judge Excise-II, Jamui/concerned Court, where the case is pending in connection with Sono P.S. Case No. 143 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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