

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62156 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- UCHKAGAON District- Gopalganj

Rijwan @ Rijwan Ali S/o Late Babu Jan R/o Village- Dahibhatta, Takiya
Tola, P.S.- Uchkagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

**2. The petitioner seeks bail in a case registered for
the offences punishable under Sections 30(a) and 30(b) of the
Bihar Prohibition and Excise Amendment Act, 2022.**

3. The learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 513 liters of liquor from a bamboo orchard of Saheb
Singh.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from the conscious
possession and even alleged recovery is from a place which
does not belong to the petitioner and is accessible to public at
large and he came to be implicated at the instance of local
person, but then it is submitted that the name of the local person,
who disclosed the name of the petitioner is not disclosed in the



FIR, which casts an aspersion on the case of the prosecution as police in majority of the case implicates either at the instance of *Chowkidar*, local person, confessional statement or secret information in a mechanical manner without holding a proper investigation. It is next submitted that petitioner is in custody since 25.07.2024.

5. The learned APP for the State opposes the regular bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Additional District and Sessions Judge-XIII-cum-Special Judge, Excise Court No.1, Gopalganj in connection with Uchkagaon P.S. Case No. 112 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J.)

Sudhanshu/-

U		T	
---	--	---	--

