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IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10518 of 2021

Arising Out of PS. Case No.-175 Year-2020 Thana- LALGANJ District- Vaishali

Raja Singh @ Raj Kumar Rai

... .. Petitioner/s

Versus

The State Of Bihar & others

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 12411 of 2021

Arising Out of PS. Case No.-287 Year-2020 Thana- KANTI District- Muzaffarpur

Binda Rai @ Virendra Ray

... .. Petitioner/s

Versus

The State of Bihar & others

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 38380 of 2021

Arising Out of PS. Case No.-52 Year-2020 Thana- BIDUPUR District- Vaishali

Deepak Kumar

... .. Petitioner/s

Versus

The State of Bihar & others

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 10518 of 2021)

For the Petitioner : Mr. Shyameshwar Kumar Singh

For the State : Mr. Ajay, GA No.5

Mr. Jharkhandi Upadhyay, APP

For Income Tax Deptt. : Mr. Rishi Raj Sinha, SC

For E. Directorate : Mrs. Punam Kumari Singh, Advocate

(In CRIMINAL MISCELLANEOUS No. 12411 of 2021)

For the Petitioner : Mr. Manoj Kumar, Advocate

For the State : Mr. Ajay, GA No.5

Mr. Jharkhandi Upadhyay, APP

For Income Tax Deptt. : Mr. Rishi Raj Sinha, SC

For E. Directorate : Mrs. Punam Kumari Singh, Advocate

(In CRIMINAL MISCELLANEOUS No. 38380 of 2021)

For the Petitioner/s : Mr. Usha Kumari Singh



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For the State : Mr. Ajay, GA No.5
Mr. Brajendra Nath Pandey, APP
For Income Tax Deptt. : Mr. Rishi Raj Sinha, SC
For E. Directorate : Mrs. Punam Kumari Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 30-11-2021 Heard the parties.

Office is directed to serve copies of these bail applications upon learned counsel for the newly added opposite parties. Office is directed to verify as to whether respective departments have been added as opposite parties in these cases otherwise office is directed to add the respective departments as opposite parties and office is also directed to supply copies of these bail applications to Mr. Rishi Raj Sinha, S.C for the Income Tax Department, Mrs. Punam Kumar Singh, learned Advocate for the Enforcement Directorate; and Mr. Ajay, learned GA No.5 by 02.12.2021.

All these cases have been listed today on the orders of this Court.

At the time of hearing of all these cases it has been found that in all these cases huge amount of illicit liquor and spirit has been recovered. The local police of those districts has not taken any interest in arresting all the accused persons. In the opinion of this Court, these cases relate to liquor syndicates which are thriving in the State of Bihar and members of the



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Syndicate involved in such crime are not being arrested by the local police.

It is also surprising that in such huge seizure, Excise and Prohibition Department, which is being headed by a Senior Police Officer, has not taken any action. Nothing has prevented either the district police or the police wing of the Excise and Prohibition Department to take action against the syndicates.

Director General of Income Tax (Investigation), Patna is directed to investigate the cases of tax evaded by the persons named in the FIR of these cases/found involved in these cases.

Enforcement Directorate is also directed to investigate the cases of persons who have illegally acquired property and are involved in money laundering who are named in the FIR and names of other persons may crop up during course of investigation.

Director General of Income Tax (Investigation) is represented by Mr. Rishi Raj Sinha, Standing Counsel; Enforcement Directorate is represented by Mrs. Punam Kumar Singh, learned Advocate; and the State of Bihar is represented by Mr. Ajay, learned G. A. No.5 including the respective APPs.

This Court, seeing the gravity of situation, has requested Mr. Ajay, learned GA No.5 to appear on behalf of the



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State for proper assistance of the Court.

Mr. Ajay, GA No.5 is directed to file counter affidavit on behalf of the Inspector General of Prohibition, Government of Bihar who is to monitor the implementation of the Bihar Prohibition and Excise Act. He will also explain as to what steps have been taken by the I.G. Prohibition to monitor such large seizure, investigation of such large seizure and arrest all the accused persons involved in cases of such large seizure. Excise Department should not leave the members of syndicates.

Put up all these cases for further hearing on 15.12.2021 at 2.15 P.M. for further hearing.

Sr. S.P./S.Ps. of the concerned districts, where these cases are pending, are directed to file report regarding status of investigation in the excise cases on the next date of hearing.

Let a copy of this order be communicated to the Director General of Income Tax Department (Investigation), Patna, Enforcement Directorate, Patna and the Principal Secretary, Prohibition, Excise, Registration Department, Government of Bihar, for its compliance through FAX message and Email forthwith.

(Sandeep Kumar, J)

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