

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.18305 of 2022**

Arising Out of PS. Case No.-58 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gopalganj

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BHUPENDRA S/o Puran Singh @ Puran Chand R/o village- Mandi, P.S.-  
Israna, District- Panipat (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar  
For the Opposite Party/s : Mr. Akbar Ali

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA  
ORAL ORDER**

2      08-07-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the State  
  
through virtual Court proceedings.

Learned counsel for the petitioner submitted that in  
the satisfaction portion of this petition, “learned court  
Additional District & Session Judge-IV-cum-Special Judge,  
Excise, Patna” in place of “learned Additional District and  
Session Judge-IV-cum-Special Judge, Excise Court-II,  
Gopalganj”, has wrongly been typed.

Considering the above submission, learned counsel  
for the petitioner is directed to correct the satisfaction portion of  
this petition on Monday i.e. 11.07.2022, since the Court is in  
virtual mode for the day.



Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Excise P.S. Case No. 58 of 2022 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 01.03.2022.

The allegation against the petitioner is to be engaged in illegal trade of illicit liquor, where, there is recovery of 80.25 litres of illicit liquor.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is driver of the alleged vehicle and nothing surfaced during course of investigation, which may suggest that the petitioner was under knowledge of consignment of illicit liquor. It has further been submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that the petitioner is driver of alleged vehicle.



Considering the facts and circumstances as mentioned above, as alleged recovery cannot be said from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Excise P.S. Case No. 58 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge-IV-cum-Special Judge, Excise Court-II, Gopalganj, subject to the following conditions:

*“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.*

*(iii) That one of the bailors shall be Sandeep Kumar, who is the brother-in-law of the petitioner and deponent of the present bail petition.”*

**(Chandra Shekhar Jha, J)**

S.Katyayan/  
R.S. Sen/-

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