

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25178 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- SAHPUR District- Patna

Aditya Kumar Sosn of Permanand Singh @ Parmanand Singh R/O Village-
Krishna Niketan Jakaria, P.S.- Krishna Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Shahpur
P.S. Case No. 4 of 2022 registered for the offence under Section
414 of the Indian Penal Code and Sections 30(a) and 30(c) of
the Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.01.2022.

The allegation against the petitioner is to have in
possession of 70 liters of country made liquor, which was
recovered from a motorcycle bearing Registration no. BR 01 CF
3453.



Learned counsel appearing on behalf of the petitioner submitted that recovery is made from the alleged motorcycle, which was occupied by other co-accused, as such, it cannot be said from the conscious physical possession of the petitioner and nothing surfaced during the course of investigation, which may connect the petitioner with the alleged recovery of illicit liquor. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that recovery is not from the physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, as recovery cannot be said from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Shahpur P.S. Case No. 4 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 Special Excise Judge, Danapur (Patna),
District- Patna/concerned Court, 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.

(ii) That one of the bailors shall be
Devendra Prasad, who is the father-in-law of
the petitioner and deponent of the present
bail petition.

(Chandra Shekhar Jha, J)

Ankit/-

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