

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27333 of 2022

Arising Out of PS. Case No.-119 Year-2021 Thana- PATEPUR District- Vaishali

Manoj Kumar Chauhan Son of Devendra Singh Resident of Village - bakhri
Doa, P.s.- Goraul (Katahara O.P.), Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

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

The petitioner seeks bail in connection with Patepur
P.S. Case No. 119 of 2021 registered for the offence under
Sections 420, 467, 468, 414 and 120(B) of the Indian Penal
Code and under Sections 30(a), 32(ii), 38(ii) and 41(i) of the
Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 03.12.2021.

The allegation against the petitioner is to involve in
illegal trading of illicit liquor, where a total of 2,359.29 liters of



foreign liquor was recovered from three vehicles.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced in the present case only being the owner of the vehicle and nothing surfaced during the course of investigation, which may suggest that he was under knowledge of the illegal consignment 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, while opposing the prayer of bail, fairly conceded that it is not a case of recovery of illicit liquor from the physical possession of the petitioner, as per F.I.R.

Considering the facts and circumstances as mentioned above, as nothing surfaced, which may suggest that petitioner was under knowledge of the illegal consignment of illicit liquor 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 Patepur P.S. Case No. 119 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise-II-cum-



Additional District & Sessions Judge, Vaishali at
Hajipur/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 Singh, who is the father of the
petitioner and deponent of the present bail
petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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