

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30684 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- INDUSTRIAL AREA District- Vaishali

Sudhir Kumar S/o Shiv Kumar Singh R/o village- Sahdulapur, P.S.- Ganga
Bridge, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-08-2022 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 Hajipur
Industrial Area P.S. Case No. 42 of 2022 registered for the
offence under Sections 30(a), 32(i)(ii), 36, 41(i)(ii) of the Bihar
Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.03.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 6347.460 litres of IMFL/country made liquor from



the Truck bearing registration no. JH02Q9060.

Learned counsel appearing on behalf of the petitioner submitted that admittedly, as it appears from bare perusal of F.I.R. that petitioner was a labour engaged with unloading of truck, loaded with alleged illicit liquor parked in Industrial Area of Hajipur, nothing surfaced during course of investigation to connect petitioner, *prima facie*, with the alleged recovery. It is also submitted that petitioner involved in two other nature of cases, where he is on bail. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet 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 petitioner was engaged as labour, as per F.I.R.

Considering the facts and circumstances as mentioned above, as the petitioner was engaged as labour, working in Industrial Area coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Hajipur Industrial Area P.S. Case No. 42 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 Exclusive Special Excise



Court No.-1,-cum-Additional Sessions Judge, Vaishali at
Hajipur/concerned court, subject to the conditions as mentioned
under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

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