

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30566 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

=====

Chunnu Kumar Son of Jay Kumar Yadav R/o Village - Hasanpur Ward No. -3,
P.S. - Rani Ganj, District - Araria (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, 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
Prosecution Report Case No. 48/21-22 registered for the offence
under Sections 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 09.02.2022.



The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 135 litres of IMFL/country made liquor from Mahindra Scorpio bearing registration no. WB06A-0467.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is a driver and nothing surfaced during course of investigation which may suggest that petitioner was under knowledge to have in possession of consignment of illicit liquor. It is also submitted that the petitioner is a man of clean antecedent and moreover investigation of this case 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 is the driver of the alleged vehicle.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was not made from the conscious physical possession of the petitioner 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 Prosecution Report Case No. 48/22, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Learned Court of



Additional District and Sessions Judge-IV, Special Judge
(Excise), Kishanganj/concerned court, subject to the conditions
as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

