

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34989 of 2022

Arising Out of PS. Case No.-53 Year-2020 Thana- EKMA District- Saran

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KRISHNA PRATAP SINGH @ K.P. SON OF LATE RAMKISUN SINGH
R/O VILLAGE- EKRI, P.S.- EKMA, DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-08-2022 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 Ekma P.S.

Case No. 53 of 2020 registered for the offence under Sections

30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 23.03.2022.

The allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there is

recovery of 25.20 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that recovery is made from room of the house, which belongs to petitioner, which is occupied by other family members, where nothing recovered from the conscious physical possession of the petitioner. It has been submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been 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 Ekma P.S. Case No. 53 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Judge, Excise, Saran at Chapra/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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