

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34573 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- KHODAWANDPUR District- Begusarai

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JOGA SINGH Son of Avtar Singh @ Sundar Singh Resident of Village -
Gulabnagar Gali No.17, P.s.- City Yamuna Nagar (Hada Police Sector), Distt.-
Yamunanagar (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1, Advocate

For the Opposite Party/s : Mr.Nand Kumar, 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

Khodawandpur P.S. Case No. 120 of 2021 registered for the

offence under Section 120B, 414, 465 and 477 of the Indian

Penal Code and under Sections 30(a) 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 10.06.2021.



The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 1789.560 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is driver of the alleged vehicle from where illicit liquor was recovered and moreover, nothing surfaced during course of investigation which may suggest that petitioner was under knowledge to have consignment of illicit liquor, denying thereof conscious physical possession of the petitioner, who is a man of clean antecedent. 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, petitioner is a man of clean antecedent 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 Khodawandpur P.S. Case No. 120 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 Excise Court-I,



Begusarai/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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