

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39004 of 2022

Arising Out of PS. Case No.-138 Year-2017 Thana- MASHRAK District- Saran

Ravi Kumar Son of Pradip Shah R/O Village- Dumarshan, P.S.- Mashrakh,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Mashrakh
P.S. Case No. 138 of 2017 registered for the offence under
Sections 272 and 273 of the I.P.C. and under Sections 30(a), 30,
38/41 of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.03.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 198 litres of IMFL/country made liquor from the
alleged vehicle.

Learned counsel appearing on behalf of the petitioner



submitted that the name of the petitioner surfaced on the basis of confessional statement of co-accused Kundan Kumar and in furtherance, nothing surfaced during the course of investigation, which may connect the petitioner with alleged recovery of illicit liquor. 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 opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no illicit liquor was recovered 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 Mashrakh P.S. Case No. 138 of 2017 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, Saran at Chapra/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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