

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38100 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- SRINAGAR District- West Champaran

Kishan Kumar Son of Amerika Prasad @ Amerika Kushwaha R/O Village-
Ekrahiya, P.S.- Sirisia (o.p.) Distt.- West Champaran Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary, Advocate
For the Opposite Party/s : Mr.Pushpa Sinha, 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 Sriangar
P.S. Case No. 27 of 2022 registered for the offence under
Section 414 of the I.P.C. and under Section 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 04.03.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 34.560 litres of IMFL/country made liquor from the
alleged motorcycle.

Learned counsel appearing on behalf of the petitioner
submitted that the alleged motorcycle is not connected in any
manner with petitioner from where recovery of illicit liuqor was



made. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, 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 the petitioner is not the owner of the motorcycle, as per seizure list.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor was not made from the conscious physical possession of the petitioner, who 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 Srinagar P.S. Case No. 27 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 Judge, Bettiah, West Champaran/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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