

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39466 of 2022

Arising Out of PS. Case No.-80 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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PAPPU PASWAN Son of Late Ram Sidhi Paswan Resident of village -
Dighaun, Ward No.- 06, P.S.- Beldaur, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi
For the Opposite Party/s : Mr.Pranav Kumar

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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 Excise
P.S. Case No. 80 of 2022 registered for the offence 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 29.03.2022.



The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 217.500 litres of IMFL/country made liquor from the dicky of the Car bearing registration no. WB06B-5301.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is a driver of the alleged vehicle from where illicit liquor was recovered where nothing surfaced during the course of investigation that petitioner was under knowledge to have consignment of illicit liquor and, as such, it cannot be said that the recovery was made from the conscious physical possession of the petitioner, who is a man of clean antecedent. 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, 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 Excise P.S. Case No. 80 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 Excise Judge, Court No.-2, Purnea/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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