

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39905 of 2022

Arising Out of PS. Case No.-199 Year-2021 Thana- BHAGWANPUR District- Vaishali

Pappu Das @ Pappu Kumar Das, Son of Sant Das @ Satnarayan Das
Resident of Village - Sorhattha (Sadhapur Jiwan), P.S.- Vaishali (Belsar O.P.),
District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mrs.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Bhagwanpur P.S. Case No. 199 of 2021
registered for the alleged offences under Sections 467, 468, 471,
120(B), 272 and 273 of the Indian Penal Code and Sections
30(a), 36 and 41(i) of the Bihar Prohibition and Excise Act.

As per prosecution case, police received secret
information about unloading of illicit liquor from a truck to
smaller vehicles and a raid was conducted and a truck and
Bolero vehicle were seized. From the truck, total 1572 litres of



India made foreign liquor and from the Bolero vehicle, 983 litres of India made foreign liquor were recovered. Miscreants fled away from the spot and the police came to know that the petitioner and other co-accused persons were to receive this consignment of illicit liquor.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case as he was neither apprehended from the spot nor anything incriminating has been recovered from his possession. The petitioner is neither the owner of the vehicles nor he has anything to do with the recovery made from these two vehicles. The police has very conveniently named the petitioner in the case without having any material to implicate them. Charge-sheet has been submitted in this case and the petitioner is in custody since 22.06.2022.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that no recovery has been shown from the petitioner and nothing came up on record in a substantive manner to show the connection of the petitioner with the alleged recovery and further considering the submission of charge-sheet and his period of custody, the



petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court No.-1-cum-Additional District and Sessions Judge, Vaishali at Hajipur, in connection with Bhagwanpur P.S. Case No. 199 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

