

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41648 of 2022

Arising Out of PS. Case No.-153 Year-2022 Thana- KUTUMBA District- Aurangabad

ANKIT KUMAR S/o Shivranjay Singh R/o village Halka P.S. Hariharganj,
District Palamu (Jharkhand). At present C/o Yogendra Singh @ Yogendra Ku-
mar Siingh, R/o village- Balia, P.s. Amba, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-09-2022 Heard learned counsel appearing on behalf of the peti-
tioner 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 Kutumba PS
Case No. 153 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 cus-
tody since 06.07.2022.

The allegation against the petitioner is to be engaged in il-
legal trade of illicit liquor, where, there is recovery of 255 litres of il-
licit country made liquor.

Learned counsel appearing on behalf of the petitioner sub-
mitted that petitioner is driver of the alleged car, from where, recov-



ery of illicit liquor was made and nothing surfaced during course of the investigation, which may suggest that the petitioner was under knowledge of consignment of illicit liquor. It is further submitted that petitioner is a man of clean antecedent. While concluding the argument, it is categorically submitted that investigation of this case has been completed, for which, charge-sheet has already 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 recovery of illicit liquor does not appears to be made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Kutumba PS Case No. 153 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 Special Judge, Excise 1, Aurangabad/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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