

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44413 of 2022**

Arising Out of PS. Case No.-21 Year-2022 Thana- SAMASTIPUR District- Samastipur

Pankaj Kumar Son of Ashok Ram Resident of village - Mohamadpur Deopar,
Ward No.- 06, P.S.- Pusa, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 Town P.S.
Case No. 21 of 2022 registered for the offence under Sections
272 and 273 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.01.2022.



The allegation against the petitioner is to involve in illegal trading of illicit liquor, where 2628.360 liters of foreign liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not connected with the alleged container, in any manner, from where the recovery of illicit liquor was made. It is further submitted that petitioner has been implicated in this case only for the reason that he was the passer-by. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as recovery of illicit liquor cannot be said to be made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Town P.S. Case No. 21 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 Court-I, Samastipur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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