

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44151 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- INDUSTRIAL AREA District- Vaishali

Sukhveer Singh @ Sukhbir Singh Son of Gurucharan Singh R/O Village- Tej
Colony Samana, P.S.- Samana, District- Patiyala (Punjab)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-09-2022 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 Hajipur
Industrial P.S. Case No. 68 of 2022 registered for the offence
under Sections 420, 465, 467, 468 and 471 of the Indian Penal
Code and Section 30(a), 36 and 41(i) of the Bihar Prohibition
and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.04.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 3717 litres of IMFL/country made liquor from



truck.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is the driver of alleged vehicle from where illicit liquor was recovered and further nothing surfaced during course of investigation which may suggest that petitioner was under knowledge to have in possession of consignment of illicit liquor, as such, it cannot be said that alleged recovery of illicit liquor was made from conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor has not been made from 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 Hajipur Industrial P.S. Case No. 68 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 1st Additional Sessions Judge-
cum-Special Judge, Excise, Vaishali at Hajipur/concerned court,
subject to the conditions as mentioned under Section 437(3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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