

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47473 of 2022**

Arising Out of PS. Case No.-106 Year-2022 Thana- SAKRI District- Madhubani

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BAL KISHORE PASWAN S/O INDRADEV PASWAN Resident of village-
Dhepura P.S.- Sakri, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Bhaskar Shankar, Advocate
		Mr. Saket Kumar Singh, Advocate
For the Opposite Party/s :		Mr.Anil Kumar Singh No.1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-09-2022 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 Sakri P.S.
Case No. 106 of 2022 registered for the offence under Sections
272 and 273 of the Indian Penal Code and Sections 30(a), 38(i)
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 05.07.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there was recovery of 5544 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of the driver of the alleged truck, from where recovery of illicit liquor was made and, admittedly, this is not a case of recovery of illicit liquor from the conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it has been categorically submitted that investigation of this case is complete, for which, 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 illicit liquor was not made 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 Sakri P.S. Case No. 106 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 Additional Sessions Judge-II-cum-



Special Judge, Excise Act, Madhubani/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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