

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47072 of 2022

Arising Out of PS. Case No.-293 Year-2022 Thana- GAIGHAT District- Muzaffarpur

Bhola Singh S/o Ishwar Singh Resident of Village - Berua, P.S.- Gayghat,
District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Alok Kumar, Advocate
	:	Mr. Hans Lal Kumar, Advocate
For the Opposite Party/s	:	Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 22-09-2022 Heard learned counsel appearing on behalf of the pe-
titioner 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 Gaighat
P.S. Case No. 293 of 2022 registered for the offence under Sec-
tions 272, 273, 414, 420/34 of the I.P.C. and Sections 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 30.06.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there



was recovery of 2147.480 litres of illicit IMFL/country made liquor from the alleged vehicle.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been falsely implicated in present case only for the reason that he is the owner of one **“Ranjeet Dhaba”**, where alleged truck, from which illicit liquor was recovered, was parked. It is further submitted that nothing incriminating surfaced during the course of investigation which may suggest that petitioner was under knowledge or connected with recovered illicit liquor. Petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, 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 alleged illicit liquor cannot be said to be made from conscious physical possession of this 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 Gaighat P.S. Case No. 293 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 Exclusive Special Excise
Court No. I, Muzaffarpur/concerned court, subject to the condi-
tions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

U		T	
---	--	---	--

