

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49407 of 2022

Arising Out of PS. Case No.-144 Year-2020 Thana- SIGAUDI District- Patna

Pawan Kumar Son of Naresh Yadav R/V- Sohra, P.S- Sigori, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate
For the State : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-11-2022 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 Sigori
P.S. Case No. 144 of 2020 registered for the offence under
Sections 272 and 273 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise (Amendment) Act 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.10.2021.

The allegation against the petitioner is to be involved
in the manufacturing of illicit liquor, where 80 liters of country



made liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Dharmendra Kumar and, admittedly, this is not a case of recovery of illicit liquor from the conscious physical possession of the petitioner, rather same was recovered from open place. It is submitted that name of the petitioner involved in the present case only for the reason that he has five criminal antecedent, in which name of the petitioner surfaced mostly on the basis of confessional statement, as of the present case. While concluding the argument, it is submitted that 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 not appears to be made from the conscious physical possession of the petitioner 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 Sigori P.S. Case No. 144 of 2020 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, Danapur, Patna/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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