

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49722 of 2022**

Arising Out of PS. Case No.-167 Year-2020 Thana- KISHUNPUR District- Supaul

Umesh Kumar Son of Rajendra Paswan R/O Village- Kawa Dih (Chiknauta),  
P.S.- Baligaon, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Zeyaul Hoda, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      28-09-2022                      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 Kishan  
Pur P.S. Case No. 167 of 2020 registered for the offence under  
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 09.05.2022.

The allegation against the petitioner is to be engaged  
in illegal trading/manufacturing of illicit liquor, where, there is  
recovery of 3000 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner  
submitted that petitioner is the owner of the alleged truck, where  
nothing surfaced during the course of investigation that he was



under knowledge as regard to consignment of alleged illicit liquor. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, 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 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 Kishan Pur P.S. Case No. 167 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 Act, Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

R.S.Sen/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

