

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51494 of 2022

Arising Out of PS. Case No.-412 Year-2021 Thana- BARAUNI District- Begusarai

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Dharam Singh Son of Ajit Singh R/O Village- Mugalchak (Panun), P.S.-
Taran, District- Taran (Punjab)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Advocate
		Mr. Gagan Dev Yadav, Advocate
		Mr. Vinod Kumar Yadav, Advocate
		Mr. Udeshya Kumar Yadav, Advocate
		Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 11-10-2022 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 Barauni
P.S. Case No. 412 of 2021 registered for the offence under
Section 120(B) of I.P.C. and 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 23.02.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there was recovery of 301.470 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that on the basis of confessional statement of petitioner recovery of illicit liquor was made from the house of co-accused namely, Viresh Kumar, who is already enlarged on bail through criminal miscellaneous no. 71281 of 2021 dated 24.06.2022. It is further pointed out that nothing surfaced during the course of investigation which may suggest that petitioner was under knowledge to carry the consignment of illicit liquor. While concluding the argument, it has been submitted that investigation of this case has been completed, where charge-sheet has been submitted, as such, there is no chance of tampering 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 conscious physical possession of this petitioner 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 Barauni P.S. Case No. 412 of 2021 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Excise Judge 1st Begusarai/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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