

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56762 of 2022**

Arising Out of PS. Case No.-181 Year-2022 Thana- CHAKAND District- Gaya

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Sachin Kumar @ Pinku Son of Indradeo Prasad Resident of Village Naugarh,
P.S. Chakand, District Gaya, Bihar- 804404

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Advocate
	:	Ms. Riya Giri, Advocate
For the State	:	Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-11-2022 Heard learned senior 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 Chakand
P.S. Case No. 181 of 2022 registered for the offence under
Sections 467, 468, 471 and 120(B) of the Indian Penal Code
and Sections 30(a), 36 and 41(1) of the Bihar Prohibition and
Excise Act, 2016.



The accused/petitioner is named in the F.I.R. and is in custody since 27.06.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 1863 litres of illicit liquor.

Learned senior counsel appearing on behalf of the petitioner submitted that petitioner is not connected in any manner with alleged vehicle from where recovery of illicit liquor was made. It is further submitted that the campus, where alleged vehicle was parked, is also not connected with petitioner and, as such, it can be safely gathered that recovery of illicit liquor was not made from conscious physical possession of this petitioner. It is also submitted that seizure list appears disputed being not supported by independent witnesses. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, 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 petitioner opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as recovery of illicit liquor not appears from conscious



physical possession in the background of disputed seizure list 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 Chaakand P.S. Case No. 181 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. 1, Gaya/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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