

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56594 of 2022**

Arising Out of PS. Case No.-380 Year-2022 Thana- KOILWAR District- Bhojpur

Dilip Kumar Chakrawarti S/o Late Dharendra Kishor Chakrawarti R/o- Surya  
Mandir Road, Srirampur, P.S.- Bihta, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abinash Kumar, Advocate

For the State : Mr. Humayou Ahmad Khan, APP

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

2      15-11-2022                      At the outset, learned counsel for the petitioner submitted that in paragraph no.1, at page no.2, of the bail petition, inadvertently, period of custody has been wrongly typed as '10.08.2022' instead of '11.08.2022'.

Accordingly, learned counsel for the petitioner is directed to make necessary correction during the course of the day itself.

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 Koilwar (Gidha) P.S. Case No. 380 of 2022 registered for the offence under 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 11.08.2022.

The allegation against the petitioner is to be involved in illegal trading of illicit liquor, where a total of 170 liters of illicit liquor was made.

Learned counsel appearing on behalf of the petitioner submitted that, admittedly, recovery of illicit liquor was not made from the conscious physical possession of the petitioner and was implicated in the present case only for the reason that he is the registered owner of the motorcycle from where illicit liquor was alleged to be recovered. It is pointed out that the alleged motorcycle was stolen prior to this recovery and, as such, petitioner is nowhere connected with the present occurrence. 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 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 Koilwar (Gidha) P.S. Case No. 380 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 Special Judge, Excise Court-II, Bhojpur, Arrah/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

Ankit/-

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

