

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56750 of 2022

Arising Out of PS. Case No.-208 Year-2021 Thana- DURGAWATI District- Kaimur (Bhabua)

Kishan Pal @ Krishan Pal S/O Chhidda Pal @ Sha Chinda Resident of
Village- Yusufpur, Manauta, P.S.- Muradnagar, District- Gaziyabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the State : Ms. Gulnar Begum, 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
Durgawati P.S. Case No. 208 of 2021 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.08.2022.

The allegation against the petitioner is to be involved
in the illegal trading of illicit liquor, where 2147.760 liters of
illiquor liquor was recovered from a DCM truck bearing



Registration no. UP 14 ET 4845.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner involved in the present case only for the reason that he is the owner of the DCM truck, from where the alleged recovery of illicit liquor was made. It is further submitted that, admittedly, recovery of illicit liquor was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent. 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 Durgawati P.S. Case No. 208 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 Special Judge, Excise No. II-cum-Additional District Judge-VII, Kaimur at



Bhabua/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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