

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63339 of 2022

Arising Out of PS. Case No.-756 Year-2022 Thana- ARA NAGAR District- Bhojpur

Siddu Kumar @ Suddu Kumar S/O Vijay Ray Resident of village- Mandahi,
P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 23-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State
through virtual Court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Ara Town P.S.
Case No. 756 of 2022 registered for the offence under Sections 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 19.08.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there is recovery
of 40 litres of IMFL/country made liquor from the alleged vehicle.

Learned counsel appearing on behalf of the petitioner
submitted that alleged recovery of illicit liquor was made from



motorcycle parked in abundant condition near to Gomti river bridge, which is not connected in any manner with this petitioner, who is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, 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 alleged illicit liquor not appears to be made from the conscious physical possession of this petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ara Town P.S. Case No. 756 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, Bhojpur, Ara/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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