

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56023 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- IMAMGANJ District- Gaya

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Sintu Kumar @ Sentu Kumar S/O Sunil Prasad Resident Of Village-
Baltharwa, P.S.- Bankey Bazar, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-10-2022 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 Imamganj
P.S. Case No. 88 of 2022 registered for the offence under
Section 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 01.06.2022.

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



was recovery of 395.625 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is a driver of the alleged vehicle, where nothing surfaced, during the course of investigation, which may suggest that petitioner was under knowledge of carrying the consignment of illicit liquor and, as such, it cannot be said that recovery of alleged illicit liquor was made from the conscious physical possession of this petitioner, who is a man of clean antecedent. While concluding the argument, it is submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tempering 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 the conscious physical possession of the petitioner, who is a man of clean antecedent 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 Imamganj P.S. Case No. 88 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 Judge, Court



No-02, Gaya/concerned court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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