

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59068 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- KURSAILA District- Katihar

Kamaluddin @ Kamal @ Kalamuddin @ Kalam Son of Delowar Hossain
Resident of - Barpeta, Gandari Para, P.S.- Barpeta, District - Barpeta, Assam.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Arun Kumar Mandal, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-11-2022 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 Kursaila
P.S. Case No. 19 of 2022 registered for the offence under Sections
467, 463, 471, 120(B), 420 of the IPC and Sections 30(a), 36,
41(1) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.07.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 6444 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner is not connected in any manner with
alleged truck and illicit liquor and his name surfaced in this case



merely on the basis of suspicion as he works as commission agent to engage truck for a particular consignment. It is further submitted that petitioner is a man of clean antecedent and moreover, 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 not appears to be made from conscious physical possession of this 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 Kursaila P.S. Case No. 19 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 Court of Additional District and Sessions Judge,II-cum-Special Judge(Excise), Katihar/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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