

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60664 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- TANKUPPA District- Gaya

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Mantu Kumar S/o Sri Marm Yadav @ Karm Yadav R/V- Harili Khurd
Moratal, P.S.- Bodh Gaya, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Prithivi Raj Singh, Advocate
For the State : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

The petitioner seeks bail in connection with Tankuppa
P.S. Case No.34 of 2022 registered for the offence under
Sections 272 and 273 of Indian Penal Code and 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 28.08.2022.

The allegation against the petitioner is to be involved
in illegal trade of illicit liquor, where, there was recovery of
202.50 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner was implicated in the present case only
for the reason, he is the owner of the alleged vehicle, and



admittedly recovery was not appears to be made from conscious physical possession of the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

Considering the facts and circumstances as mentioned above as recovery of illicit liquor not appears to be made from conscious physical possession of the petitioner, coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with Tankuppa P.S. Case No.34 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 Exclusive Special Excise Judge, Court No.2, Gaya/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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