

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61050 of 2022

Arising Out of PS. Case No.-227 Year-2021 Thana- UCHKAGAON District- Gopalganj

Pintu Kumar @ Pintu Singh @ Pintu Bhagat @ Pintu Kumar Singh Son of
Maya Singh @ Maya Bhagat R/V- Atana, Arna Bazar, P.S- Uchakagaon, Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Setu Prateek, Advocate
For the State	:	Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Uchakagaon
P.S. Case No.227 of 2021 registered for the offence under
Sections 272 and 273 of Indian Penal Code, Sections 25(1-b)a,
26, 35 of Arms Act 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 06.09.2022.

The allegation against the petitioner is to be involved



in illegal trade of illicit liquor, where, there was recovery of 30 litres of illicit Chulai liquor.

Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of alleged illicit liquor was made from partly constructed house of this petitioner, which is accessible to all, and as such, it can be safely gathered that recovery of illicit liquor was not 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.

In view of the facts and circumstances as mentioned above, as the recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioner, who is a man of clean antecedent, 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 Uchakagaon P.S. Case No.227 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 learned Additional Sessions Judge II-cum-Special Judge Excise, Court No.1, Gopalganj/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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