

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59299 of 2022

Arising Out of PS. Case No.-200 Year-2022 Thana- PUNPUN District- Patna

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Anand Kumar S/O Late Lal Bihari Singh Resident of Jiyanachak, P.S.- Karai
Parsurai, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sunil Kumar Singh, Advocate
For the State	:	Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 Punpun
P.S. Case No. 200 of 2022 registered for the offence under
Section 30(a) of Bihar Prohibition and Excise Act, 2022.

The accused/petitioner is named in the F.I.R. and is in
custody since 20.06.2022.

The allegation against the petitioner is to be have in
possession of 150 litres of illicit chulai liquor.

Learned counsel appearing on behalf of the petitioner



submitted that, petitioner was the driver, where nothing surfaced during the course of investigation, which may suggest that petitioner was aware about the illegal consignment of illicit liquor and, as such, it can be safely gathered that recovery was not made from conscious physical possession of the petitioner. It is submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

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

In view of the facts and circumstances, as mentioned above, as the recovery of alleged illicit liquor was not made from the conscious physical possession of the petitioner, in the background of disputed seizure list coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Punpun P.S. Case No. 200 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 Special Court, Excise,



Patna/concerned Court, subject to the conditions as laid down
u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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