

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60809 of 2022

Arising Out of PS. Case No.-122 Year-2022 Thana- JADOPUR District- Gopalganj

Pintu Kumar Son of Jai Prakash Singh R/V- Jadopur, Dukhaharan, P.S-
Jadopur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arvind Kumar, Advocate
For the State	:	Mr. Md. Shakir Ahmad, APP

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 Jadopur P.S.
Case No.122 of 2022 registered for the offence under 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 14.07.2022.

The allegation against the petitioner is to be in illegal possession of illicit liquor, where, there was recovery of 75.80 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor not appears to be made from conscious physical possession of the petitioner, whereas petitioner is not connected in any manner with the alleged motorcycle. 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 Jadopur P.S. Case No.122 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 Additional Sessions Judge II, 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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