

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61479 of 2022

Arising Out of PS. Case No.-366 Year-2021 Thana- VAISHALI District- Vaishali

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PINTU SINGH S/o Surendra Singh R/o Village- Karneji, P.S.-
Vaishali(Belsore OP), Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Vaishali
P.S. Case No. 366 of 2021 registered for the offence under
Sections 272, 273 and 414 and Sections 30(a), 32(ii), 34(ii),
38(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.09.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 3723.81 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that admittedly, as per seizure list, recovery of alleged illicit liquor was not made from the conscious physical possession of the petitioner. It is submitted that petitioner found involved in four (4) different criminal cases, on the basis of said suspicion, his name surfaced in the present case also, without having any connecting evidence. It is further submitted that seizure list appears doubtful, being not supported by independent witnesses rather by police personnel. While concluding the argument, it has been submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears to be made from the conscious physical possession of the petitioner 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 Vaishali P.S. Case No. 366 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 Exclusive Special Prohibition & Excise Court (Second)-
cum-Addl. District & Sessions Judge, Hajipur,
Vaishali/concerned Court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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