

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63340 of 2022

Arising Out of PS. Case No.-774 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Bikram Tiwari Son of Late Pintu Tiwari R/O Vill.- Madhubani Ghat, P.S.-
Muffasil, Distt.- East Champaran At Motihari At Present Mamrkha Bhaya
Tola, P.S.- Malahi, Distt.- East Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, 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 counsel 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 Turkauliya

P.S. Case No. 774 of 2022 registered for the offence under Sections

272, 273/34 of the IPC and 30(a), 41(1) of the Bihar Prohibition and

Excise Act, 2018.

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

custody since 13.08.2022.

The allegation against the petitioner is to be engaged in

illegal trading/manufacturing of illicit liquor, where, there was

recovery of 216 litres of illicit IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that the petitioner is neither owner nor driver of the alleged vehicle, as he took a lift for local destination and was not under knowledge that alleged vehicle is carrying illicit liquor. It is further submitted that petitioner is not connected in any manner with said vehicle and recovered illicit liquor. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as petitioner is in custody since 13.08.2022 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 Turkauliya P.S. Case No. 774 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 Court of Exclusive Special Excise Court No. 1, Civil Court, East Champaran, Motihari/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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