

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64551 of 2022

Arising Out of PS. Case No.-599 Year-2022 Thana- KOTWALI District- Patna

1. Kundan Kumar S/o Late Umesh Kumar R/o Este of Makhdumpur Police Station, P.S.- Makhdumpur, Distt- Patna.
2. Sunil Kumar @ Sunish Kumar S/o Manohar Prasad Singh R/o House of Munna Singh near Gaya Line Gumti, P.S.- Jakkanpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Bihari Singh, Advocate
For the State	:	Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 Heard learned counsel appearing on behalf of the petitioners 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 petitioners seek bail in connection with Kotwali P.S. Case No. 599 of 2022 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

The accused/petitioners are named in the F.I.R. and



are in custody since 27.09.2022.

The allegation against the petitioners is to be involved in illegal trading of illicit liquor, where a total of 732.300 liters of illicit wine was recovered.

Learned counsel appearing on behalf of the petitioners submitted that the allegation against the petitioners is only to stand near the vehicles, from where alleged recovery of illicit liquor was made and petitioners were arrested in the present case under wrong impression. It is further submitted that recovery of illicit liquor was not made from the conscious physical possession of the petitioners. While concluding the argument, it is submitted that 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 petitioners are in custody since 27.09.2022 coupled with the fact that chargesheet has been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Kotwali P.S. Case No. 599 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



each with two sureties of the like amount each to the satisfaction
of learned Special Judge, Excise, Patna/concerned Court,
subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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