

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64760 of 2022

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

Prakash Kumar S/o Raj Kumar Sao R/o Infront of Bankipur Police Station
Gali ward no. 10, P.S.- Fatuha, 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 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 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/petitioner is named in the F.I.R. and is in



custody since 27.09.2022.

The allegation against the petitioner 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 petitioner submitted that the allegation against the petitioner is only to stand near the vehicles, from where alleged recovery of illicit liquor was made and petitioner was 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 petitioner. 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 petitioner is in custody since 27.09.2022 coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is 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) 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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