

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66422 of 2022

Arising Out of PS. Case No.-142 Year-2022 Thana- LAKHNAUR District- Madhubani

Santosh Chaupal S/O Munna Chaupal @ Muneshwar Chaupal R/O Village-
Chandrawani ,P.S- Lakhnaur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-12-2022 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 Lakhanpur
P.S. Case No.142 of 2022 registered for the offence under
Sections 272, 273, and 34 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.09.2022.



The allegation against the petitioner is to be involved in illegal trading of illicit liquor, where, there was recovery of 188.625 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of disclosure made by the driver of the vehicle and admittedly no recovery of illicit liquor was made from the conscious physical possession of the petitioner. While concluding the argument, it is submitted 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.

In view of the facts and circumstances as mentioned above as recovery of alleged 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 Lakhnour P.S. Case No.142 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 Act, Jhanjharpur,
Madhubani/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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