

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66036 of 2022

Arising Out of PS. Case No.-172 Year-2022 Thana- MAHESHKHUNT District- Khagaria

Vikrant Kumar Son of Chatish Kumar @ Satish Kumar R/v- Baroli, P.S.- Rai,
District- Sonipat (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandan Kumar Kashyap, Advocate
For the Opposite Party/s	:	Mr. Kumar Ranjit Ranjan, 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 Maheshkhunt P.S. Case No.172 of 2022 registered for the offence under Sections 30(a), 32(i)(ii) and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 23.07.2022.

The allegation against the petitioner is to be involved in illegal trading of illicit liquor, where, there was recovery of



2500.26 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is alleged to be the helper of the truck from where illicit liquor was recovered, where nothing surfaced during the course of investigation, which may suggest that petitioner was under knowledge to carry consignment of alleged illicit liquor and, as such, it can be safely gathered that alleged recovery of illicit liquor was not made from the conscious physical possession of the petitioner. While concluding the argument, it is submitted that 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 Maheshkhunt P.S. Case No.172 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-II, Khagaria/concerned court, subject to
the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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