

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67266 of 2022

Arising Out of PS. Case No.-307 Year-2022 Thana- BALIYA District- Begusarai

SHANKAR KUMAR S/O Kuso Poddar R/O Village- Laxmipur, P.S- Birpur,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, 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 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 Ballia
P.S. Case No. 307 of 2022 registered for the offence under
Sections 290, 120(B) and 34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 05.11.2022.

The allegation against the petitioner is to be engaged
in illegal trade of illicit liquor, where, there is recovery of
1426.48 litres of illicit liquor.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is neither driver nor owner of the said vehicle, from where, recovery of alleged illicit liquor was made and also not connected either with the alleged vehicle or liquor in any manner. It is also submitted that this petitioner took a lift for short destination, as he was not aware about the consignment of alleged illicit liquor. 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 of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears to be made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ballia P.S. Case No. 307 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 Exclusive Special



Judge-II, Begusarai/concerned court, subject to the conditions,
as mentioned under Section 437(3) of the Cr.P.C, with further
condition:

“That Accused/Petitioner shall
cooperate in the trial and shall be physically
present on each and every date before the
Trial Court till conclusion of the trial and
exemption from physical appearance be
allowed by the Trial Court, only on medical
ground of the petitioner duly supported by
the document.”

(Chandra Shekhar Jha, J.)

S.Katyayan/-

U		T	
---	--	---	--

