

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34722 of 2023

Arising Out of PS. Case No.-220 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Manish Kumar S/O Rajendra Giri R/O Village- Dighiya, P.S- Harlakhi, Distt.-
Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Soban Asghar, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Madhubani Excise P.S. Case No. 220 of 2023 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The accused/petitioner is not named in the F.I.R.
and is in custody since 18.03.2023.

4. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 495 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the
petitioner submitted that petitioner alleged to be driver of the



vehicle from, where alleged illicit liquor was recovered. It is also submitted that nothing surfaced during the course of investigation, which may suggest petitioner was under knowledge of illicit liquor in the said vehicle. It is also submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. 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 submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of the fact implication of petitioner appears only being driver of the vehicle, who is a man of clean antecedent coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 18.03.2023, accordingly petitioner, above named, is directed to be released on bail in connection with Madhubani Excise P.S. Case No. 220 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge



2nd, Excise Act, Madhubani/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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