

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41023 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- PIPRA District- Patna

CHHATISH KUMAR Son of Raju Paswan Resident of Kajichak, P.S.-
Masaurhi, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Babu, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with Spl.
Case No. 3007/2023 arising out of Pipra P.S. Case No. 32 of
2023 registered for the offence under section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 25.03.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 400 litres of IMFL/country made liquor
from the alleged vehicle.



6. Learned counsel appearing on behalf of the petitioner submitted that petitioner took a lift for a local destination from the driver of alleged vehicle, who was already occupied by several co-accused persons. It is submitted that nothing surfaced during the course of investigation, which may suggest that petitioner was aware about the consignment of illicit liquor. While concluding the argument, it is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above and by taking note of fact as alleged recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 25.03.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Spl. Case No. 3007/2023 arising out of Pipra P.S. Case No. 32 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 Special Judge, Excise Court, Patna/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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