

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41402 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- PIPRA District- Patna

=====

Golu Kumar Son Of Dilkeshwar Ravidas Resident Of Nathupur, Ps Parsa
Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-07-2023 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 Pipra
P.S. Case No. 46 of 2023 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 24.05.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 480 litres of IMFL/country made liquor



from the alleged Santro Car bearing registration no. DL5CB7278.

6. Learned counsel appearing on behalf of the petitioner submitted that petitioner is a car mechanic and, while he was on the test drive, was apprehended by police causing present recovery which was not in his knowledge. It is submitted that investigation not suggests that petitioner was under knowledge about consignment of illicit liquor. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been 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 the fact as recovery of alleged illicit liquor not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 24.05.2023, accordingly, above named petitioner is directed to be released on bail in connection with Pipra P.S. Case No. 46 of 2023 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only)
with two sureties of the like amount each to the satisfaction of
learned Special Judge, Excise, Patna/concerned court, subject to
the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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

