

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41218 of 2023

Arising Out of PS. Case No.-14 Year-2022 Thana- JALALGARH District- Purnia

Pradeep Kumar @ Vikash Bhai Son Of Late Surendra Resident Of Village -
Karuta, Karountha, Shivvaji Collony, P.S. - Shivvaji Collony, Distt. - Rohtak
(Haryana).

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, 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
Jalalgarh P.S. Case No. 14 of 2022 registered for the offence
under Sections 30(a), 41, 47 of the Bihar Prohibition and Excise
Act, 2018 and Sections 272, 273 of the Indian Penal Code.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 05.04.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 14967.25 litres of foreign liquor from the



alleged vehicle.

6. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Mangi, where in furtherance of no incriminating material including illicit liquor recovered from the possession of this petitioner to connect him with present recovery of illicit liquor. It is pointed out that said co-accused, Mangi has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 57245 of 2022 dated 21.02.2023. While concluding the argument, it is submitted that petitioner, subsequent to this case found involved in one more criminal case, 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 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 05.04.2023, accordingly, petitioner above named, is directed to be released



on bail in connection with Jalalgarh P.S. Case No. 14 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 Excise Judge Court No. 1,
Purnia/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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