

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41719 of 2023

Arising Out of PS. Case No.-354 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Shashi Ranjan Kumar Son of Dilip Sharma Resident of Village- Kharia Bazar,
Ps- Kinjar District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-07-2023 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 Mohania
P.S. Case No. 354 of 2023 registered for the offence under Section
414 of the Indian Penal Code and Sections 30(a), 47 of the Bihar
Prohibition and Excise Act.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 27.05.2023.

5. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 307.75 litres of IMFL/country made liquor from
alleged vehicle.

6. Learned counsel appearing on behalf of the petitioner



submitted that petitioner is a driver, where nothing incriminating surfaced during the course of investigation as to suggest that he was under knowledge to carry consignment of illicit liquor and as such it can be said safely that the alleged recovery of of illicit liquor was not made from conscious physical possession of this petitioner. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, as implication of petitioner appears only being driver of the vehicle, where petitioner is in custody since 27.05.2023, accordingly, above named petitioner is directed to be released on bail in connection with Mohania P.S. Case No. 354 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 No.- 01-cum-Additional District Judge, IV Kaimur at Bhabhua/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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