

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42981 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- PRANPUR District- Katihar

Sujan Kumar S/O Angad Singh R/O Village- Raushna Bazar, Ps. Pranpur
(ROSHNA), Dist. Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-07-2023 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
Pranpur (Roshna) P.S. Case No.103 of 2023 registered for the
offence under Section 413 and 414 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 23.05.2023.

4. The allegation against the petitioner is to be



engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 2.250 litres of IMFL.

5. Learned counsel appearing on behalf of the petitioner submitted that the alleged motorcycle from where illicit liquor was recovered is not connected in any manner with this petitioner and as such it can be safely said that recovery was not made from the conscious physical possession of this petitioner. 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 as recovery of alleged 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 23.05.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Prampur (Roshna) P.S. Case No.103 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 District and Sessions Judge, Exclusive Excise No.2, Katihar/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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