

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43017 of 2023

Arising Out of PS. Case No.-230 Year-2023 Thana- NAUBATPUR District- Patna

Praveen Kumar Son Of Nirmal Prasad Resident Of Village- New Area Joda
Mandir, Ps- Dehari -ON -SONE, Distt- Rohtas At Present Hosue No. 111,
Block-B, Shiv Bihar, Vikas Nagar, Uttam Nagar, West Delhi 110059

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murli Dhar, Advocate

For the Opposite Party/s : Mr.Arvind Kumar Pandey, 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 counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Naubatpur P.S. Case No. 230 of 2023 registered for the offence
under Sections 30(a), 32(ii)(iii), 36 and 41(i)(ii) of the Bihar
Prohibition and Excise Act, 2018.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 11.04.2023.

4. The allegation against the petitioner is to be



engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 2997 litres of IMFL.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner is driver of the alleged vehicle from where illicit liquor was recovered and moreover, nothing surfaced during course of investigation which may suggest that petitioner was under knowledge to have consignment of illicit liquor. While concluding the argument, it is submitted that petitioner found involved in one more case, where he is on bail 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, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been made from the conscious physical possession of the petitioner and implication of petitioner in the present case is only being the driver of the alleged vehicle, coupled with the fact that charge-sheet has been submitted, where petitioner is in custody since 11.04.2023, let the petitioner, above named, is directed to be released on bail in connection with Naubatpur P.S. Case No. 230 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 /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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