

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49796 of 2023

Arising Out of PS. Case No.-247 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

Jasbir @ Yasbir @ Jasbir Singh Son Of Ramkishan Resident Of Village-
Kambopura, Ward No. 06, Ps- Madhuban, Dist- Karnal (HARYANA).

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-08-2023 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
Kuchaikote P.S. Case No. 247 of 2019 registered for the offence
under Sections 30(a), 32(2), 41(i) of the Bihar Prohibition and
Excise Amendment Act, 2018.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 29.03.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,



there is recovery of 2923.200 litres of foreign liquor from the alleged truck.

6. Learned counsel appearing on behalf of the petitioner submitted that implication of this petitioner is only for the reason that he is the owner of the alleged truck from where recovery of alleged illicit liquor was made. It is submitted that petitioner was not under knowledge regarding carrying illegal consignment of illicit liquor, and as such, it can be said safely that recovery of alleged illicit liquor not appears to be 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 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 implication of this petitioner appears only being owner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 29.03.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Kuchaikote P.S. Case No. 247 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj/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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