

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40843 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- Kaler District- Arwal

Shahil Kumar Son of Ramkumar Singh R/O- Village- Haharo, Police Station-
Belsar (O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Suruchi Anand, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-06-2024 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

Kaler P.S. Case No. 53 of 2024 registered for the

offences under Section 30 (a) of the Bihar Prohibition

and Excise Act.

3. The petitioner is not named in the F.I.R. and

is in custody since 13.04.2024.

4. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 7735.36 litres of



IMFL/country made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated with the present case as he is neither connected with the alleged truck in any manner nor with the recovered illicit liquor. It is submitted that only for the reason as one SIM Card issued in the name of petitioner was once used in the mobile phone belonging to the driver of vehicle, implicating him with the present case, who is otherwise a man of clean antecedent. It is further submitted that recovery of illicit liquor is not made from the conscious physical possession of this petitioner. It is also submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnels.

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 illicit liquor not appears



to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, coupled with the fact as petitioner is in custody since 13.04.2024, where charge-sheet has already submitted, accordingly, petitioner above named, is directed to be released on bail in connection with Kaler P.S. Case No. 53 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court -II, Jehanabad/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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