

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40708 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Pradip Kumar Sharma @ Pradip Sharma, Son of Surendra Sharma, R/o
Village- Kakripur, Police Station- Raichala @ Rajala, District- Bagpat (U.P.).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-06-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Runnisaidpur P.S. Case No.59 of 2024 registered for
the offence punishable under Sections 420, 467, 468, 471,
120-B read with 34 of the Indian Penal Code and Sections
30(a), 32, 36 and 41(i) of the Bihar Prohibition and Excise
Act, 2018.

3. The accused/petitioner is named in the FIR and
is in custody since 28.02.2024.

4. Allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor,
where there is recovery of 820 liters of Indian made foreign



illicit liquor.

5. It is submitted by learned counsel for the petitioner that the recovery of alleged illicit liquor appears to be made from a public bus which is accessible by general public and, as such, it cannot be said that recovery was made from conscious physical possession of the petitioner, who is man of clean antecedent. It is submitted that implication of this petitioner was made only for the reason that he was the driver of the alleged bus. While concluding argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances, as recovery of illicit liquor alleged to be made from a bus, which is accessible by general public, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 28.02.2024, accordingly, the



petitioner, above-named, is directed to be released on bail
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction
of the learned Exclusive Special Excise Court-I, Sitamarhi in
connection with Runnisaidpur P.S. Case No.59 of 2024
subject to the conditions as laid down under Section 437(3)
of the CrPC.

(Chandra Shekhar Jha, J.)

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