

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 45249 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- KHAJAULI District- Madhubani

Pappu Kumar Singh, Son of Rajdev Singh, Resident of Vill + P.S.- Khajauli,
District- Madhubani.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashad, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 30-08-2024 1. Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.
2. The accused/petitioner is named in F.I.R. and apprehending his arrest in connection with G.R. No. 554 of 2024 arising out of Khajauli P.S. Case No. 58 of 2024, registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.
3. The allegation against the petitioner is to be engaged in illegal



trading/manufacturing of illicit liquor, where, there is recovery 1160.280 litres of IMFL/country made liquor from pickup van.

4. Learned counsel appearing on behalf of the petitioner submitted that the implication of this petitioner only appears in this case being the owner of the pick up van, which was found carrying the illicit liquor. It is submitted that nothing surfaced during the course of investigation, which may suggest that petitioner being owner was aware about the fact that the pick up van was involved in carrying of illicit liquor, and as such, therefore, it can be said safely that recovery of illicit liquor was not made from his conscious physical possession. It is submitted that seizure list also appearing doubtful being not supported by independent witnesses, rather by Chaukidar. While concluding the argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail.



5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as implication of petitioner only appears being owner of the vehicle, where recovery of illicit liquor appears *prima facie* doubtful from his possession, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, 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 Addl. Sessions Judge-IIInd-cum-Special Judge, Excise Act, Madhubani/concerned Court, where the case is pending in connection with G.R. No. 554 of 2024 arising out of Khajauli P.S. Case No. 58 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Chandra Shekhar Jha, J)

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