

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56310 of 2022

Arising Out of PS. Case No.-298 Year-2022 Thana- PATNA GRP CASE District- Patna

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Gopal Singh @ Gopal Kr. Singh @ Manish Kumar Rana Son of Prem Nandan Singh Resident of Kasya Complex No.- B/03 Main Road No.-04, P.S.- Ram Krishna Nagar, District - Patna, Permanent address - Resident of village and P.S.- Mokama, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Jha, Advocate Mr. Anant Kumar Bhaskar, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-10-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Rail Thana Patna Junction P.S. Case No. 298 of 2022 registered for the offence under Section 273 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 11.07.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there is recovery of 276.480 litres of IMFL/country made liquor from an open place.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner was implicated in present case only for the reason that his wife is running office dealing in business of logistic and as rack of concerned train was booked by said office, the name of petitioner was involved in present case. It is further submitted that even alleged parcel was recovered from place like platform no. 1 near Parcel Office at Patna Junction, which is accessible by general public. It is further submitted that admittedly, no recovery of illicit liquor was made from conscious physical possession of this petitioner. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor not appears from conscious physical possession of this petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has been



submitted, let the petitioner, above named, is directed to be released on bail in connection with Rail Thana Patna Junction P.S. Case No. 298 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge Excise, Patna/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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