

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6142 of 2021

Arising Out of PS. Case No.-229 Year-2020 Thana- MINAPUR District- Muzaffarpur

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SANJEEV KUMAR Son of Bharat Rai Resident of Village - Maksudpur, P.S.
- Meenapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-04-2021 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through Video

Conferencing.

The petitioner seeks regular bail in connection with
Meenapur Police Station Case No. 229 of 2020, registered for
the offences punishable under Sections 272/273/414/120-B/34
of the Indian Penal Code and Sections 30(a)/41(1) of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is
that the police, on the basis of the secret information that in the
chicken shop of one Md. Husnain Khan, illicit liquor was being
stored, proceeded towards the place of occurrence and recovered
a total quantity of 642.96 of illicit liquor from the chicken shop
of said Md. Husnain Khan as well as one TATA ACE vehicle,



standing near the chicken shop. The name of the petitioner has transpired on the basis of the confessional statements of co-accused, namely, Md. Munnu and Nirale Hashmi.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of the disclosure of his name by the arrested co-accused persons and the petitioner has not committed any offence in the manner alleged. He next submits that illicit liquor has been recovered from the chicken shop of co-accused Md. Husnain Khan and from the vehicle belonging to him. He next submits that no illicit liquor has been recovered from the conscious possession of the petitioner and/or the premises/vehicle belonging to him. He next submits that the petitioner is in custody since 24.09.2020 and charge sheet has been submitted, as such, there is no likelihood of the petitioner being abscond or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 24.09.2020, having no criminal antecedent and charge sheet has been submitted against him, I am inclined to grant regular bail to the petitioner.

This application is allowed.



Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Meenapur Police Station Case No. 229 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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