

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8241 of 2022**

Arising Out of PS. Case No.-713 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Bholu Kumar @ Mee Son of Debu Thakur Resident of Village - Deewan
Road, P.s.- Mithenpura, Distt.- 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. Pronoti Singh

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 06-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272, 273 and 34 of IPC and
Section 30(a) of the Bihar Prohibition and Excise Act, 2018 in
connection with Town P.S. Case No. 713 of 2021.

As per allegation, recovery of 30.14 litres of illicit
liquor was made from the possession of co-accused person.

Accused/petitioner is named in the FIR and in custody
since 18.09.2021.

Learned counsel for the petitioner submits that the
alleged recovery was not made from the conscious possession of
the petitioner and he has falsely been implicated in the present



case. He further submits that the petitioner is a man of clean antecedents.

Learned APP appearing on behalf of the State, while opposing the prayer for bail conceded that nothing was recovered from the conscious possession of the petitioner.

Considering the facts and submissions as made above, recovery has not made from the conscious possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Town P.S. Case No. 713 of 2021 on furnishing bail bound of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise; Muzaffarpur, subject to the following condition:

(1) That the petitioner shall not be involved in the similar nature of case till conclusion of the trial and learned court below shall be at liberty to cancel the bail bond of the petitioner, if the involvement of the petitioner shall be found in the similar nature of case.

(2) That one of the bailors shall be the close relative of the accused petitioner like father / mother / daughter / son / sister / brother.

(Chandra Shekhar Jha, J)

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