

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20876 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- MUSAHARI District- Muzaffarpur

ANMOL KUMAR Son of Mahesh Prasad Singh Resident of Village - Rahua
Razaram, P.S.- Mushahari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Verma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

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

The petitioner seeks bail in connection with
Mushahari P.S. Case No. 28 of 2022 registered for the offence
under Sections 272, 273 and 34 of the Indian Penal Code and
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 02.02.2022.

The allegation against the petitioner is to be engaged
in illegal trade of illicit liquor, where, there is recovery of
147.75 litres of IMFL.



Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of secret information and nothing incriminating surfaced during course of investigation, which may connect the petitioner with the alleged recovery and the recovery of illicit liquor has been made from alleged vehicle. It has further been submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that recovery has not been made from physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, as the alleged recovery has not been made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Mushahari P.S. Case No. 28 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 Exclusive Special Excise
Court no.1, Muzaffarpur, subject to the following conditions:

“(i) *Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.*

(ii) That one of the bailors shall be Anil Kumar, who is the brother-in-law of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

