

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27441 of 2022

Arising Out of PS. Case No.-14 Year-2021 Thana- DUMRA District- Sitamarhi

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SANJAY KUMAR @ SANJU KUMAR Son of Manohar Kushwaha @
Manohar Singh Resident of Village - Bachharpur, P.S. - Dumra, District -
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikash Kumar Jha, Advocate

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-08-2022 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 Dumra
P.S. Case No. 14 of 2021 registered for the offence under
Section 414 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 04.04.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there is recovery of 1082.160 litres of IMFL/country made liquor from pickup van.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of apprehended co-accused, namely, Diwakar Kumar and Dharmendra Kumar, and admittedly, there is no recovery of illicit liquor from the possession of the petitioner. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that recovery of illicit liquor was not made from the physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, as the alleged recovery of illicit liquor was not made from the conscious physical possession of the petitioner 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 Dumra P.S. Case No. 14 of 2021 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, Sitamarhi/concerned
court, subject to the conditions as mentioned under Section
437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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