

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28190 of 2022

Arising Out of PS. Case No.-221 Year-2021 Thana- MITHANPURA District- Muzaffarpur

MONU KUMAR Son of Pramod Sah Resident of Village - Mushahari
Radhanagar, P.S. - Mushahari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bipin Chandra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 30-09-2022 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

Mithanpura P.S. Case No. 221 of 2021 registered for the offence

under Sections 414 and 34 of the Indian Penal Code and under

Section 30(a), 32(ii), 41(i) of the Bihar Prohibition and Excise

Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 01.02.2022.



The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 1053.630 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not connected in any manner with alleged truck and illicit liquor. It is submitted that name of the petitioner surfaced on the basis of disclosure made by apprehended co-accused persons, where admittedly, recovery of illicit liquor was not made from the conscious physical possession of this petitioner. While concluding the argument, it is submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as 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 Mithanpura P.S. Case No. 221 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, Muzaffarpur/concerned court,
subject to the conditions as mentioned under Section 437(3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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