

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32947 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- MUZFFARPUR GRP CASE District-
Muzaffarpur

MINTU SINGH Son of Late Ramadhar Singh Resident of Village - Chhota
Bariyarpur Ward no.37, P.S.- Chhatauni, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-08-2022 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 Rail Muzaffarpur
P.S. Case No. 48 of 2022 registered for the offence under
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 03.03.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 21 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that recovery is made from the bag which is not



connected in any manner with the petitioner. It is submitted that nothing recovered from the conscious physical possession of the petitioner, who is a man of clean antecedent. It has been submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, while opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the alleged recovery of illicit liquor 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 been submitted, let the petitioner, above named, is directed to be released on bail in connection with Rail Muzaffarpur P.S. Case No. 48 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 the learned Exclusive Special Excise Court No. 1, Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-
Ravishankar/-

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