

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35220 of 2022

Arising Out of PS. Case No.-79 Year-2022 Thana- SAKRA District- Muzaffarpur

SHIVAM KUMAR SON OF GUDDU DAS Resident of village Dhobgawan,
P.s.Pusa, Distt. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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 Sakra P.S.
Case No. 79 of 2022 registered for the offence under Sections
272, 273, 12B, 420, 467, 468 and 471 of the Indian Penal Code
and Sections 30(a), 36 and 41(i)(ii) of the Bihar Prohibition and
Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.02.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 2131.08 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was engaged as labour for unloading the consignment of alleged vehicle, which is not connected in any manner with alleged recovery of illicit liquor, where petitioner is a man of clean antecedent. It is submitted that It has been submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been 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 Sakra P.S. Case No. 79 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 Special Judge Excise Court No.I, 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/-

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

