

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35503 of 2022**

Arising Out of PS. Case No.-8 Year-2018 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

=====

Amit Kumar @ Amit Chaudhary @ Amit Kumar Chaudhary Son of
Rameshwar Choudhary Resident of Village- Sukki, P.S.- Patepur, District-
Vaishali at present Nandpuri, Bhagwanpur, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh, Advocate
	:	Mr. Pravin Kumar, Advocate
For the State	:	Mr. Anil Kumar Singh No.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

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

The petitioner seeks bail in connection with Town P.S.
Case No. 8 of 2018 registered for the offence under Sections
272 and 273 of the Indian Penal Code and Sections 30(a), 38(2),
41(1) and 47 of the Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.05.2022.

The allegation against the petitioner is to involve in
the illegal business of illicit liquor, where 25.17 liters of illicit



liquor was recovered from a vehicle bearing Registration no. BR 08A 5906 and in total 136.925 liters of illicit liquor was recovered from different places.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of disclosure made by co-accused, namely, Vikky Kumar and in furtherance thereof, nothing incriminating surfaced/recovered from the possession of the petitioner, which may incriminate/connect him with the present set of recovery of illicit liquor. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above, as recovery cannot be said to be made from the possession of the petitioner coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with



Town P.S. Case No. 8 of 2018 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 laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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

