

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37063 of 2022

Arising Out of PS. Case No.-411 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Sanjay Kumar @ Sanjay Ram Son of Suresh Ram R/O Village- Patahi Roop,
P.S.- Muzaffarpur Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel 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
Muzaffarpur, Sadar P.S. Case No. 411 of 2020 registered for the
offence under Sections 147, 148, 149, 341, 323, 332, 353 of
I.P.C. and under Sections 30(a) and 45 of the Bihar Prohibition
and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.03.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there is recovery of 34.560 litres of IMFL/country made liquor from the alleged car.

Learned counsel appearing on behalf of the petitioner submitted that as seizure list of illicit liquor does not bear signature of the petitioner, is sufficient to gather that the recovery of illicit liquor was not made from the conscious physical 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 the alleged car was jointly occupied, as per seizure list.

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 Muzaffarpur Sadar P.S. Case No. 411 of 2020 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)

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