

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38407 of 2022**

Arising Out of PS. Case No.-134 Year-2022 Thana- BARAUNI District- Begusarai

1. KUNDAN KUMAR Son of Ram Nandan Sah Resident of Village- Sisba,  
P.S.- Barauni, District- Begusarai
2. Bandan Kumar Son of Ram Nandan Sah bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      20-08-2022                      Heard learned counsel appearing on behalf of the  
  
petitioners 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 petitioners seek bail in connection with Barauni  
P.S. Case No. 134 of 2022 registered for the offence under  
Sections 30(a)/41(i) of the Bihar Prohibition and Excise Act,  
2018.

The accused/petitioners is named in the F.I.R. and is  
in custody since 21.05.2022.

The allegation against the petitioners is to be engaged  
in illegal trading/manufacturing of illicit liquor, where, there is  
recovery of 193.02 litres of IMFL/country made liquor from the  
alleged vehicle.

Learned counsel appearing on behalf of the petitioners  
submitted that the allegation against the petitioners is only



involved in purchase process of alleged illicit liquor, where nothing surfaced during the course of investigation, which may connect the petitioners with the said case, where petitioners are men of clean antecedent. 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 opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor was not made from the conscious physical possession of the petitioners, who is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioners, above named, is directed to be released on bail in connection with Barauni P.S. Case No. 134 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 Exclusive Excise Judge-1, Begusarai/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

pooja/-

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