

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38232 of 2022**

Arising Out of PS. Case No.-221 Year-2021 Thana- MITHANPURA District- Muzaffarpur

Sanjeet Kumar Son of Late Yugeshwar Prasad R/O Village- Nawanagar, P.S.-  
Bidupur, District- Vaishali At Present Mohalla- Tinkothiya Near Abeda High  
School, P.S.- Mithanpura, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate  
For the Opposite Party/s : Mr.Akbar Ali, APP

**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  
Mithanpura P.S. Case No. 221 of 2021 registered for the offence  
under Sections 414 and 34 of the Indian Penal Code and  
Sections 30(a), 32(ii) and 41(i) of the Bihar Prohibition and  
Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 31.03.2022.

The allegation against the petitioner is to be engaged  
in illegal trading/manufacturing of illicit liquor, where, there is  
recovery of 1053.630 litres of IMFL/country made liquor from  
the alleged vehicle.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is not apprehended on spot and no illicit liquor was made from conscious physical possession of the petitioner. It has been submitted that investigation is complete, where 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 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 Mithanpura P.S. Case No. 221 of 2021 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-I, Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

**(Chandra Shekhar Jha, J)**

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