

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40953 of 2022

Arising Out of PS. Case No.-254 Year-2022 Thana- NAUBATPUR District- Patna

Munna Kumar @ Mannu Kumar Son of Surendra Prasad R/O Village-
Mohanpur, Punaichak, P.S.- Shastri Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Anand, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 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 Naubatpur
P.S. Case No. 254 of 2022 registered for the offence under Sections
420, 467, 468 and 471 of the Indian Penal Code and Sections 30(a),
32(i)(ii), 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 01.06.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there is recovery
of 315 litres of IMFL/country made liquor from the alleged vehicle.

Learned counsel appearing on behalf of the petitioner



submitted that recovery of illicit liquor was made from pick up van parked on the road, which is not connected in any manner with the petitioner. It is also submitted that the name of petitioner surfaced on the basis of secret input provided by chaukidar and admittedly, recovery of illicit liquor was not made from the 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 Naubatpur P.S. Case No. 254 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, Excise Judge, Danapur (Patna)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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