

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46607 of 2022

Arising Out of PS. Case No.-217 Year-2021 Thana- CHAKAI District- Jamui

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SANDEEP KUMAR @ SANDIP KUMAR Son of Sachit Singh Resident of
Village - Dighi, P.S.- Itkhor, District - Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Ms.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-09-2022 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.

At the outset, learned counsel for the petitioner
submitted that at page no.1 of the bail petition in the cause title,
‘@Sandeep Kumar Singh’ has been wrongly omitted.

Accordingly, learned counsel for the petitioner is
permitted to make necessary correction during the course of the
day itself.

The petitioner seeks bail in connection with Chakai
P.S. Case No. 217 of 2021 registered for the offence under
Sections 272 and 273 of the Indian Penal Code and under
Sections 30(A)(F), 32(2), 32(3), 36, 41(1) and 41(2) of the Bihar



Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 12.02.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 2720 litres of spirit from truck.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of disclosure made by apprehended co-accused, namely, Mahendra Paswan, and admittedly, no alleged illicit liquor was recovered from the conscious physical possession of the petitioner. While concluding the argument, it has been submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

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 Chakai P.S. Case No. 217 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 Special Court Excise-1st, Jamui/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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