

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47907 of 2022

Arising Out of PS. Case No.-126 Year-2022 Thana- LAUKAHI District- Madhubani

Ranjit Mukhiya Son of Mangal Mukhiya R/O Village- Belaucha, P.S.-
Lakhnour, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-09-2022 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.

The petitioner seeks bail in connection with Laukahi
P.S. Case No. 126 of 2022 registered for the offence under
Sections 272, 273 & 34 I.P.C. and 30(a) of the Bihar Prohibition
and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.05.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 37.800 litres of illicit IMFL/country made
liquor from the alleged vehicle.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner was not apprehended on spot and as such it cannot be said that recovery of alleged illicit liquor was made from his conscious physical possession. While concluding the argument, it has been submitted that investigation of this case has been completed, 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 alleged illicit liquor cannot be said to be made from conscious physical possession of this 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 Laukahi P.S. Case No. 126 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 Court Spl. Judge, Excise Act, Jhanjharpur Distt.-Madhubani/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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