

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47693 of 2022**

Arising Out of PS. Case No.-317 Year-2022 Thana-
MURLIGANJ District- Madhepura

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Sonu Kumar @ Piyush Kumar S/o Late Rajesh Kumar Rai
Resident of Village- Birbanna, P.S.- Bhawanipur, Distt-
Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s: Mr. Navin Kumar Pandey, APP

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

ORAL ORDER

2 19-09-
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
Murligunj P.S. Case No. 317 of 2022 registered for the



offence under Section 30(a), 32(i)(ii)/36/41 of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 06.07.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 257.750 litres of IMFL/country made liquor from alleged vehicle.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of secret input received by the Madhepura police, where petitioner was arrested in Khagaria and admittedly this is not a case of recovery of illicit liquor from conscious physical possession of this petitioner, who is a man of clean antecedent. It is categorically 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 this is not a case of recovery of illicit



liquor 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 Murligunj P.S. Case No. 317 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 Additional Session Judge II, Madhepura/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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