

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49151 of 2022

Arising Out of PS. Case No.-484 Year-2021 Thana- FATUA District- Patna

Sikandar Kumar @ Sikandar Prasad Son of Late Jaglal Ray R/O Village-
Bhagwanpur, Dewarsaukhi, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-09-2022 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 Fatuha
P.S. Case No. 484 of 2021 registered for the offence under
Sections 272 and 273 of the Indian Penal Code and under
Section 30(a), 33, 34, 36, 41 and 56(B) of the Bihar Prohibition
and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.07.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 100 litres of IMFL/country made liquor from an



open area.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of secret input, where admittedly, recovery of illicit liquor was made from an open area, accessible by general public, as per seizure list. While concluding the argument, it has categorically been submitted that investigation has been completed, for which, 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 was made from an open area 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 Fatuha P.S. Case No. 484 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 Judge Excise, Patna City/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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