

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49537 of 2022

Arising Out of PS. Case No.-791 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

=====

Ranjan Kumar S/o Lala Sahni Resident of Sikandarpur Bandh, Ward No.12,
P.S.- Town, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed Firoz Raza, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-09-2022 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

Muzaffarpur Town P.S. Case No. 791 of 2020 registered for the

offence under Sections 272, 273 and 34 of the I.P.C. and Section

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 04.05.2022.

The allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there

was recovery of 105 litres of illicit IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that admittedly, recovery of alleged illicit liquor was made from the shop of co-accused, namely Jitendra Mahto, who disclosed the name of this petitioner, who is a man of clean antecedent and moreover, investigation of this case has been completed, 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 was not made from conscious physical possession of the petitioner, who is a man of clean antecedent 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 Muzaffarpur Town P.S. Case No. 791 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Muzaffarpur/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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