

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53018 of 2022

Arising Out of PS. Case No.-322 Year-2022 Thana- SAKRA District- Muzaffarpur

Suraj Kumar S/o Ramlal Chaudhary R/o village- Sarmastpur, P.S.- Sakra,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-10-2022 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 Sakra P.S.
Case No. 322 of 2022 registered for the offence under Sections 272,
273, 419, 420, 467, 468, 471 of the IPC and 30(a) 32(i) (ii), 36 and
41 of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.08.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 3680.64 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is neither owner nor driver of the alleged
truck from where, illicit liquor was recovered and also not connected



in any manner with illicit liquor. It is further submitted that name of petitioner surfaced on the basis of secret input where nothing surfaced during the course of investigation to connect petitioner with alleged recovery of illicit liquor. It is also submitted that petitioner involved in four criminal cases in which he is on bail. While concluding the argument, it is categorically submitted that 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 not 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 Sakra P.S. Case No. 322 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 Exclusive Spl. Excise Court no. I, 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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