

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56613 of 2022**

Arising Out of PS. Case No.-531 Year-2021 Thana- SARAIYA District- Muzaffarpur

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Pankaj Kumar Rai @ Pankaj Kumar Son of Suresh Ray Resident of village -
Tilbihta, P.S.- Saraiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the State : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 Saraiya
(Jaitpur O.P.) P.S. Case No. 531 of 2021 registered for the
offence under Sections 272, 273 and 34 of Indian Penal Code
and 30(a) of Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 29.06.2022.

The allegation against the petitioner is to be involved
in the illegal business of illicit liquor, where 1491.480 liters of
illicit liquor was recovered.

Learned counsel appearing on behalf of the petitioner
submitted that name of the petitioner surfaced on the basis of
disclosure made by apprehended co-accused, namely, Manish



Kumar Singh and, admittedly, recovery of illicit liquor was not made from the conscious physical possession of the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances. as mentioned above, as recovery not appears to be made from the conscious physical possession of the petitioner coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 531 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 Court- II, Muzaffarpur /concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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