

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57937 of 2022

Arising Out of PS. Case No.-377 Year-2021 Thana- MANIYARI District- Muzaffarpur

SUDHIR KUMAR @ SUDHIR KUMAR SAHNI @ SUDHIR SAHNI S/o
Arjun Sahni R/o Village- Ratnauli, P.S.- Maniyari, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar
For the Opposite Party/s : Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Maniyari
P.S. Case No.377 of 2021 registered for the offence under
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 29.08.2022.

The allegation against the petitioner is to be engaged
in illegal trade of illicit liquor, where, there is recovery of
542.67 litres of illicit IMFL.

Learned counsel appearing on behalf of the petitioner



submitted that name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Sanjit Kumar @ Sanjay Kumar @ Pagla and in furtherance thereof, nothing surfaced/recovered, during course of investigation, which may connect, petitioner *prima facie*, with the present set of recovery of illicit liquor. It is further submitted that admittedly, recovery of illicit liquor was not made from the conscious physical possession of the petitioner. While concluding the argument, it is categorically submitted that investigation of this case has been completed, for which, charge-sheet has already 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.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Maniyari P.S. Case No.377 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 No.2,
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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