

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62196 of 2022

Arising Out of PS. Case No.-35 Year-2020 Thana- RAJPUR District- Rohtas

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MUNNA KUMAR S/O BECHAN CHAUDHARY R/v- Khanda, P.S.- Sasarm
(Muffasil), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Prasad Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 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 Rajpur

P.S. Case No. 35 of 2020 registered for the offence under

Sections 414/34 of the Indian Penal Code and Section 30(a) of

the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is not named in the F.I.R. and

is in custody since 09.07.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there was recovery of 3317 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely been implicated in this case, as petitioner is not connected in any manner with the alleged truck, from where recovery of alleged illicit liquor was recovered and admittedly, recovery of alleged illicit liquor was not made from the physical possession of the petitioner. While concluding the argument, it is submitted that investigation of this case is complete, 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.

In view of the facts and circumstances as mentioned above, as recovery of illicit liquor not appears to be made from the conscious physical possession of the 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 Rajpur P.S. Case No. 35 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-2-cum-Additional District and Sessions Judge,



Rohtas at Sasaram/concerned Court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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