

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62006 of 2022**

Arising Out of PS. Case No.-263 Year-2021 Thana- UDAKISHUNGANJ District-  
Madhepura

=====

Ananjay Kumar @ Anjay Kumar Son of Late Thakur Yadav @ Thakur Prasad  
Yadav Resident of village - Bandha Khari, Ward No.- 11, P.S. - Murliganj,  
District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Advocate  
For the State : Mr. Parmanand Prasad, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      02-12-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned APP 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  
Udakishunganj P.S. Case No. 263 of 2021 registered for the  
offence under Section 30(a) of the Bihar Prohibition and Excise  
(Amendment) Act, 2018.

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



custody since 11.09.2022.

The allegation against the petitioner is to be involved in the illegal trading of illicit liquor, where 469.80 liters of illicit English liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of driver of the pick-up van, from where the alleged recovery of illicit liquor was made. It is further submitted that in furtherance of said confessional statement, nothing incriminating surfaced/recovered during the course of investigation to connect this petitioner with the present recovery and, as such, it can be safely gathered that recovery of illicit liquor was not made from the conscious physical possession of the petitioner.

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 of illicit liquor not appears to be made from conscious physical possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Udakishunganj P.S. Case No. 263 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 Additional Sessions Judge-II-cum-Special Judge, Excise Court-I, Madhepura/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

Ankit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

