

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21690 of 2023**

Arising Out of PS. Case No.-336 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

Bindar Fauji @ Bindu Singh @ Fauji Son of Basti Ram Resident of village-
Dinod 26, P.S.-Sadar Bhiwani, District-Bhiwani (Hariyana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

3 04-07-2023 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 Chapra
Muffasil P.S. Case No. 336 of 2022 registered for the offence
under Sections 272, 273, 419, 420, 467, 468, 471/34 of the
Indian Penal Code and under Sections 30(a), 32(1)(2), 36 and 41
of the Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is not named in the F.I.R. and
is in custody since 25.01.2023.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 3942.720 litres of IMFL/country made liquor from



the alleged truck bearing registration no. RJ19GH2601.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of the co-accused persons, namely, Amritvir Singh and Vishwvir Singh, where in furtherance of no illicit liquor recovered from the possession of this petitioner. While concluding the argument, it has been submitted that petitioner found involved in two criminal cases, where he is on bail and moreover, investigation has been completed, 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.

Considering the facts and circumstances as mentioned above, as name of petitioner surfaced on the basis of confessional statement of co-accused persons, where no recovery of illicit liquor appears to be made from the conscious physical possession of this petitioner, coupled with the fact that charge-sheet has been submitted, where petitioner is in custody since 25.01.2023, accordingly, the above named petitioner is directed to be released on bail in connection with Chapra Muffasil P.S. Case No. 336 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of



the like amount each to the satisfaction of learned Additional District and Session Judge-II-cum-I exclusive Special Judge, Excise Saran at Chapra/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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