

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35637 of 2023**

Arising Out of PS. Case No.-203 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Kunal Kumar S/O Ranjan Singh R/O village-Bari Aghu, P.S. Muffasil, Dist.-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

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

3 06-07-2023 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 Muffasil
(Lakho) P.S. Case No. 203 of 2023 registered for the offence
under Section 120-B of the Indian Penal Code and under
Sections 30(a), 32 and 52 of the Bihar Prohibition and Excise
Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 09.04.2023.

The allegation against the petitioner is to engage in
illegal trading/manufacturing of illicit liquor, where, there is



recovery of 1103.04 litres of IMFL/country made liquor from the alleged vehicle.

Learned counsel appearing on behalf of the petitioner submitted that petitioner not apprehended on spot and his name was disclosed in this case on the basis of disclosure made by the apprehended driver of the alleged Bolero pick-up. It is submitted that apparently, the illicit liquor not appears to be recovered from the physical possession of this petitioner. It is submitted that the implication of petitioner in present case is only out of suspicion arises from his criminal antecedents, where he found involved in 17 more criminal cases, where he is on bail in 15 cases. While concluding the argument, it has been submitted that investigation of this case 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 recovery of alleged illicit liquor not appears to be made from the physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 09.04.2023, accordingly, above named petitioner is directed to be released on bail in connection



with Muffasil (Lakho) P.S. Case No. 203 of 2023 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 Exclusive Special Judge, Excise-1, Begusarai/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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