

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35445 of 2023**

Arising Out of PS. Case No.-51 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Kunal Singh @ Kunal Kumar S/O Ranjan Singh R/O Village- Bari Aghu, P.S-
Muffasil, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

=====

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

2 05-07-2023 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

P.S. Case No. 51 of 2021 registered for the offence under

Section 120-B of the Indian Penal Code and 30(a), 32, 41(1) of

Bihar Prohibition & Excise Act.

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

custody since 27.04.2023.

The allegation against this petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there

was recovery of 2982.96 litres of illicit IMFL/country made



liquor.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor appears to be made from godown of co-accused, namely, Sunil Sah and on the basis of his disclosure name of petitioner surfaced, where in furtherance of which nothing surfaced during the course of investigation, which may suggest that petitioner was connected with recovered illicit liquor. It is submitted that as petitioner found involved in 17 cases under same police station, where he is on bail in 15 cases, on the basis of said suspicion arises out of his criminal antecedents, he implicated with present recovery, without having any cogent materials. It is submitted that in maximum of cases, the name of petitioner was surfaced on the basis of disclosure, as of the present case. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has already 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 no illicit liquor appears to be recovered from conscious physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where



petitioner is in custody since 27.04.2023, accordingly the petitioner, above named, is directed to be released on bail in connection with Muffasil P.S. Case No. 51 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 Exclusive Special Excise Judge 1st, Begusarai/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

U		T	
---	--	---	--

