

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44025 of 2023

Arising Out of PS. Case No.-61 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

Sanjeev Kumar Son of Late Raghubir Singh Resident of Village- Pidarshi, Ps-
K.U.K., Police Chauki- Joytisar, Distt- Kurukshetra

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Patel, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 31-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a
period of four weeks from today.

3. The petitioner seeks bail in connection with
Mohania P.S. Case No. 61 of 2020 registered for the offence
under Sections 30(a)/36 of the Bihar Prohibition and Excise Act,
2018 and 414 of the Indian Penal Code.

4. The accused/petitioner is named in the F.I.R. and
is in custody since 14.04.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,



there is recovery of 4888.785 litres of IMFL/country made liquor from the alleged vehicle.

6. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner was surfaced on the basis of disclosure of apprehended driver, where during the course of investigation nothing incriminating appears to suggest that petitioner is connected in any manner with alleged vehicle and recovered illicit liquor. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, 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.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, as no recovery of alleged illicit liquor appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 14.04.2023, accordingly, above named petitioner is directed to be released on bail in connection with Mohania P.S. Case No. 61 of 2020 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 Special Judge
Excise No. 1-cum-Additional District Judge-IV, Kaimur at
Bhabua/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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