

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40791 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- BIBHUTIPUR District- Samastipur

MUKUND KUMAR Son of Shiv Dayal Paswan Resident of village -
Barbatta, ward no. 15, P.S. - Sarairanjan, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-07-2023 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
Bibhutipur P.S. Case No. 106 of 2023 registered for the offence
under Sections 272, 273, 420, 467, 468, 471, 120-B of the Indian
Penal Code and under Section 30(a), 30(b), 32, 41, 62 of the Bihar
Prohibition and Excise Act.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 22.03.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 1707.090 litres of IMFL/country made liquor.

6. Learned counsel appearing on behalf of the
petitioner submitted that alleged recovery of illicit liquor was



made from the house of co-accused, namely, Vipin Kumar and petitioner's presence at his residence was mere a chance being co-villager. 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 alleged recovery of illicit liquor appears to be made from the house of co-accused Vipin Kumar coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 22.03.2023, accordingly, above named petitioner is directed to be released on bail in connection with Bibhutipur P.S. Case No. 106 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 Special Excise Judge-I, Samastipur, District- Samastipur/ concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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

