

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40654 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

Sanjeet Kumar Singh Son of Sarovar Singh Resident of Village- Bharatpatti,
P.S. Kaluahi, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, 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 Bhairav
Sthan P.S. Case No. 44 of 2023 registered for the offence under
Sections 272, 273 of the Indian Penal Code and under Section
30(a)/41 of the Bihar Prohibition and Excise Act.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 01.04.2023.

5. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 268 litres of IMFL/country made liquor from the alleged
vehicle.

6. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is a driver and nothing surfaced



during the course of investigation which may suggest that he was under knowledge about carrying illegal consignment of illicit liquor and, as such, it can be said safely that recovery of alleged illicit liquor not appears to be made from conscious physical possession of this petitioner. 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 petitioner is a driver, who is a man of clean antecedent coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 01.04.2023, accordingly, above named petitioner is directed to be released on bail in connection with Bhairaw Sthan P.S. Case No. 44 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 Judge, Excise Act, Jhanjharpur at Madhubani/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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