

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48698 of 2023

Arising Out of PS. Case No.-92 Year-2023 Thana- SANHAULA District- Bhagalpur

Sajan Kumar S/O Bajrangi Yadav R/O Village- Faradpur, Ps. Goradih, Dist. Bhagalpur.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-08-2023 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
Sanhaulla P.S. Case No. 92 of 2023 registered for the offence
under Section 414 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 07.06.2023.

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



there is recovery of 11.25 litres of IMFL/country made liquor from the Tempo.

6. Learned counsel appearing on behalf of the petitioner submitted that petitioner is neither owner nor driver and not connected in any manner with the alleged vehicle. It is submitted that petitioner took a lift for a short destination from the driver of alleged vehicle, where nothing surfaced during the course of investigation, which may suggest that petitioner was aware about the consignment of illicit liquor. While concluding the argument, it is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is 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 not appears to be made from the conscious physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 07.06.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Sanhaulla P.S. Case No. 92 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Excise Judge-II I/C, Bhagalpur/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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