

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41191 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- KHAJAU LI District- Madhubani

Sanjit Kumar S/o Ashok Singh R/o Village-Khajauli, P.S.-Khajauli, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-06-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Khajauli P.S. Case No. 58 of 2024 registered for the

offences under Sections 272, 273 and 34 of the Indian

Penal Code and Section 30 (a) of the Bihar Prohibition

and Excise Act.

3. The petitioner is named in the F.I.R. and is

in custody since 12.04.2024.

4. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor,



where, there is recovery of 1160.280 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the pick-up van. It is further submitted that petitioner is implicated with the present case only being driver of the alleged vehicle, where nothing recovered/surfaced during the course of investigation, which may connect him with the recovery of illicit liquor and it can be safely said that recovery was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument it is submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as



mentioned above and by taking note of the fact as recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, coupled with the fact as petitioner is in custody since 12.04.2024, where charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with Khajauli P.S. Case No. 58 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- IInd -cum Special Judge, Excise Act, 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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