

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68744 of 2024

Arising Out of PS. Case No.-39 Year-2022 Thana- ANDHRAMATH District- Madhubani

Baijnath Thakur @ Baidnath Thakur @ Baijanath Thakur Son of Basudev
Thakur Village- Dharhara, P.S.- Andhramath, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-09-2024 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with

Andhramath P.S. Case No. 39 of 2022 corresponding to

G.R. No. 157/2022 registered for the offences under

Sections 272/373 of the Indian Penal Code and Section

30(a) of the Bihar Prohibition and Excise Act, 2022

(Amended).

3. The petitioner is not named in the First

Information Report and is in custody since 31.07.2024.

4. Allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where there is

recovery of 119 litres of IMFL/country made liquor from the



alleged vehicle.

5. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner implicated falsely with the present case only for the reason that he is the registered owner of the motorcycle on which consignment of illicit liquor was being taken away. It is submitted that the facts of this case is sufficient to suggest that recovery of alleged illicit liquor was not made from conscious physical possession of this petitioner, where petitioner claimed that he is a man of clean antecedent. While concluding argument, it is submitted that investigation of this case is completed and as such, there is no chance of tampering with the evidence.

6. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

7. Considering the facts and circumstances as the recovery of illicit liquor not appears to be made from conscious physical possession of the petitioner, coupled with the fact that petitioner is in custody since 31.07.2024 and investigation of this case is completed, accordingly, above-named petitioner is directed to be released on bail,



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, Excis Act, Jhanjharpur, District – Madhubani/ concerned court, in connection with Andhramath P.S. Case No. 39 of 2022 corresponding to G.R. No. 157/2022, subject to the condition as laid down under Section 437 (3) Cr.P.C/Section 480(3) of the Bhartiya Nyaya Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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