

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10540 of 2022**

Arising Out of PS. Case No.-224 Year-2021 Thana- GAIGHAT District- Muzaffarpur

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RAMCHANDRA YADAV Son of Hari Kishun Yadav Resident of Village-
Baghnochi, P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Adv

For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-05-2022 Heard Mr. Shiva Shankar Sharma, learned counsel

for the petitioner and Ms. Asha Devi, learned Additional Public

Prosecutor for the State.

The petitioner seeks regular bail in connection with
Gaighat Police Station Case No. 224 of 2021, registered for the
offences punishable under Sections 272/273/34 of the Indian
Penal Code and Sections 30(a)/36/41(i) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, after getting secret information that a
truck along with one swift Dzire car was parked near the line
hotel, in which potato and illicit liquor have been kept and the
accused persons were also sitting in the said line hotel,
proceeded towards the place of occurrence and upon seeing the



police party, the accused persons five in number started fleeing away, however, they were arrested by the police and a total quantity of 2966.4 litres of illicit liquor was recovered from the truck and 86.422 litres of illicit liquor was recovered from the swift Dzire car, parked near the said line hotel.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the police during course of investigation. He next submits that the police on the basis of CDR of mobile has come to the conclusion that the petitioner had transferred money in the account of one Kuldip Sharma of Haryana who happens to be supplier of illicit liquor to the accused persons whereas the fact of the matter is that the petitioner is a CSP agent of bank and in course of his business, he used to transfer money in various accounts. He further submits that the petitioner having no criminal antecedent is in custody since 22.12.2021 and the accused persons who were arrested on the spot, namely, Deepak Kumar and Ajay Kumar have been granted bail by this Court *vide* Cr. Misc. Nos. 50967 & 52282 of 2021 respectively.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that



the petitioner having no criminal antecedent is in custody since 22.12.2021 and the accused persons who were arrested on the spot have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Let the petitioner, RAMCHANDRA YADAV, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Muzaffarpur, in connection with Gaighat Police Station Case No. 224 of 2021.

(Anil Kumar Sinha, J)

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