

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12501 of 2022**

Arising Out of PS. Case No.-45 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

=====

Basudeo Yadav @ Basudeo Kumar Yadav Son of Arjun Yadav Resident of
Village - Sonardih, Police Station - Jamua, District - Giridih, State -
Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Dobhi
Check-post Excise Case No. 45 of 2021 registered for the
offence under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

The accused/petitioner is not named in the F.I.R. and
is in custody since 20.11.2021.

The allegation against the petitioner is to involve in
the illegal business of illicit IMFL and as so, a recovery of 882
liters of IMFL was made.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is the owner of the alleged vehicle. It has further been submitted that the name of the petitioner surfaced on the basis of confessional statement of driver and helper of the vehicle and further nothing surfaced during the course of investigation, which may connect the petitioner with alleged recovery in furtherance of the confessional statement of the driver and helper of the alleged vehicle. While concluding the argument, it has also been submitted that petitioner is a man of clean antecedent, moreover, chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the name of the petitioner surfaced on the basis of confessional statement of co-accused.

Considering the facts and circumstances as mentioned above, as nothing surfaced during the course of investigation, which may connect the petitioner with the alleged recovery of illicit IMFL in furtherance of the confessional statement of co-accused coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Dobhi



Check-post Excise Case No. 45 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise No.3, Gaya, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Khushboo Kumari, who is the wife of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

