

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28273 of 2022**

Arising Out of PS. Case No.-15 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

RONAK KUMAR S/o Sajendra Yadav @ Rajendra Yadav R/o Village-
Sahugarh, Diwani Tola, Ward No.-12, P.S.- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 05-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

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

The petitioner seeks bail in connection with
Madhepura P.S. Case No. 15 of 2022 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.01.2022.

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



recovery of 148.29 litres of IMFL/country made liquor from pickup van.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is driver of the alleged vehicle which was parked in front of the house of the petitioner, from where recovery of alleged illicit liquor was made. It is submitted that petitioner involved in eight(8) other criminal cases of different nature due to local issues in which he is on bail in all those eight(8) cases. It is also submitted that petitioner has falsely been implicated in the present case also. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that recovery of illicit liquor was made from pickup van, which was parked in front of the house of the petitioner, as per seizure list.

Considering the facts and circumstances as mentioned above, as the alleged recovery of illicit liquor was not made from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in



connection with Madhepura P.S. Case No. 15 of 2022 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-IV-cum-Special Judge, Excise, Madhepura/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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