

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28275 of 2022**

Arising Out of PS. Case No.-141 Year-2020 Thana- LAUKAHI District- Madhubani

Ramesh Kumar Yadav @ Ramesh Yadav Son Of Mahendra Yadav Resident
Of Village- Narhiya, P.S.- Laukahi, 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. APP

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

2 06-08-2022 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
Laukahi P.S. Case No. 141 of 2020 registered for the
offence under Sections 30(a) of the Bihar Excise
Amendment Act, 2018.

The accused/petitioner is named in the F.I.R. and
is in custody since 03.04.2022.

The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor,
where, there is recovery of 202.05 litres IMFL.



Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of disclosure, which was made by driver of the alleged vehicle, namely Prasant Yadav. It is submitted that in furtherance of said disclosure, no illicit liquor recovered or any incriminating circumstances surfaced against the petitioner, during the course of investigations. It has further 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 the fact that recovery is not made from the physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been 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 Laukahi P.S. Case No. 141 of 2020 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-II-
cum-Special Judge, Excise Act, Madhubani/concerned
court, subject to the condition as mentioned under Section
437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

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