

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30552 of 2022

Arising Out of PS. Case No.-373 Year-2021 Thana- BIKRAM District- Patna

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Rajesh Kumar @ Takkal Yadav @ Takkala Son of Jatta Yadav @ Rajnandan
Yadav R/O- Vill-Gopalpur, P.S.- Bikram Dist.- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pushpendra Priyedarshi, Advocate

For the Opposite Party/s : Mr.A.G.

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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 Bikram
P.S. Case No. 373 of 2021 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 19.02.2022.

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



recovery of 319.215 litres of IMFL/country made liquor from the Tempo bearing registration no.-JH10BX-8199.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of apprehended co-accused persons, where, illicit liquor was alleged to be received by the petitioner, admittedly, this is not a case of recovery from the physical possession of the petitioner. 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 was not made from the possession of the petitioner, as per seizure list.

Considering the facts and circumstances as mentioned above, as recovery is 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 Bikram P.S. Case No. 373 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 Special Excise Judge, Danapur,



Patna/concerned court, subject to the conditions as mentioned
under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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