

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32469 of 2022

Arising Out of PS. Case No.-150 Year-2019 Thana- FULKAHA District- Araria

ARJUN YADAV @ SOBRAN YADAV S/o Dhaneshwar Yadav Resident of
Village- Manikpur, P.S.- Fulkaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Veena Rani Prasad,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-08-2022 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 Fulkaha P.S. Case No. 150 of 2019 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 21.03.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 63 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not connected with alleged vehicle from where alleged illicit liquor was recovered. It is submitted that no recovery was made from conscious physical possession of the petitioners. It is also submitted that the seizure list is not supported by independent witnesses. It has been submitted that investigation is complete where charge-sheet has been submitted.

Learned APP, while opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the alleged 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 Fulkaha P.S. Case No. 150 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Special Judge, Excise-II, Araria/concerned
court, subject to the conditions as mentioned under Section
437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-
Ravishankar/-

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