

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32695 of 2022**

Arising Out of PS. Case No.-83 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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Satrughan Yadav @ Kareja Son of Hajari Yadav Resident of Village- Mahtha
Sagar Hawaii Adda Road, Bhauara, Police Station- Madhubani, District-
Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

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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
Madhubani Town P.S. Case No. 83 of 2022 registered for the
offence under Sections 272, 273, 34 of I.P.C. and 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 04.03.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there is recovery of 66.600 litres of IMFL/country made liquor from roadside.

Learned counsel appearing on behalf of the petitioner submitted that seizure list shows recovery of illicit liquor from roadside, which does not bear signature of the petitioner, suggest thereof, that recovery was not made from the physical possession of the petitioner. It is also submitted that the investigation of this case is 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 roadside.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was not made from 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 Madhubani Town P.S. Case No. 83 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 2nd Additional Sessions Judge-Cum-Special Judge, Excise Act,



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

(Chandra Shekhar Jha, J)

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