

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33896 of 2022

Arising Out of PS. Case No.-162 Year-2021 Thana- KHODAWANDPUR District- Begusarai

GULSHAN YADAV Son of Sri Shyamdeo Yadav Resident of Village - Patahi,
P.s.- Khodawandpur (Chhaurahi OP), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr.Atul Chandra, 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

Khodawanpur (Chaurahi O.P.) P.S. Case No. 162 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 17.04.2022.

The allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there is

recovery of 676.800 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that name of the petitioner surfaced on the basis of identification made by local Choukidar and was not apprehended at the spot, admittedly, recovery was not made from conscious physical possession of the petitioner. It has been submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, opposes the prayer of bail.

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 Khodawanpur (Chaurahi O.P.) P.S. Case No. 162 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 learned Exclusive Excise Judge-I, Begusarai/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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