

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38967 of 2022**

Arising Out of PS. Case No.-188 Year-2021 Thana- AKBARPUR District- Nawada

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SANJAY YADAV Son of Late Dukhi Yadav Resident of Village -
Jhumritiliya, P.S.- Jhumritiliya, District - Kodarma (jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Akbarpur
P.S. Case No. 188 of 2021 registered for the offence under
Sections 420, 467, 468, 471 of the I.P.C. and under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is not named in the F.I.R. and
is in custody since 11.04.2022.

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



recovery of 1190 litres of IMFL/country made liquor from the place of occurrence.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Manoj Yadav, in furtherance of which nothing incriminating surfaced during the course of investigation which may connect the petitioner with alleged recovery of illicit liquor. It is further submitted that the name of petitioner involved in the present case only for the reason that he is already involved in 10 more criminal cases. 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 opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was 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 Akbarpur P.S. Case No. 188 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 Special
Excise Judge-1, Nawada/concerned court, subject to the
conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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