

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38810 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- SANGRAMPUR District- Munger

RAJU YADAV Son of Kalevar yadav Resident of Village - Dihrampur, P.S.-
Vishanpur, District- Darbhanga. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Md. Jubair Ansari, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

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
Sangrampur P.S. Case No. 143 of 2021 registered for the
offence under Sections 30(a) & 32 of the Bihar Prohibition and
Excise Act, 2018.

The accused/petitioner is not named in the F.I.R. and
is in custody since 06.01.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 4317.480 litres of IMFL/country made liquor the
alleged Truck.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is neither owner nor driver of the
alleged vehicle and he is no way connected with alleged truck



from where the recovery of illicit liquor was made. It is further submitted that nothing surfaced during the course of investigation, which may connect the petitioner with alleged recovery. It has been submitted that petitioner is a man of clean antecedent and moreover, investigation is complete, where 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 has not been made from the conscious physical possession of the petitioner, who is a man of clean antecedent 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 Sangrampur P.S. Case No. 143 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 Special Court Excise-II, Munger/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

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