

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47252 of 2022**

Arising Out of PS. Case No.-252 Year-2022 Thana- SHEKHPURA District- Sheikhpura

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SHRAVAN YADAV Son of Madhav Yadav Resident of Vill/Mohalla-
Budhauri, P.S- Sheikhpura, Dist- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 15-09-2022 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
Sheikhpura P.S. Case No. 252 of 2022 registered for the offence
under Sections 30(a) and 32 of the Bihar Prohibition and Excise
Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.06.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 62.750 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor cannot be said to be recovered from conscious physical possession of the petitioner, as seizure list is missing the signature of petitioner. It is submitted that nothing incriminating surfaced during the course of investigation, which may connect this petitioner with alleged recovery of illicit liquor. It is further submitted that petitioner has been implicated in this case only for his criminal antecedents leading to suspicion. While concluding the argument, it has been submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tempering 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 Sheikhpura P.S. Case No. 252 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 Additional District and Sessions Judge-II, Sheikhpura/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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