

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52185 of 2022

Arising Out of PS. Case No.-132 Year-2021 Thana- RAGHUNATHPUR District- Siwan

Ajeet Yadav Son of Late Kedar Yadav R/V- Raghunathpur P.S- Raghunathpur,
Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Anupam, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-10-2022 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
Raghunathpur P.S. Case No. 132 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 06.12.2021.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 368 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that alleged recovery of illicit liquor was made from two different open places from the bush developed around “*Ghat*” which is accessible by general public and as such it can be safely gathered that the recovery of illicit liquor was not made from physical possession of this petitioner. While concluding the argument, it is submitted that investigation of this case is complete, where 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 alleged illicit liquor was made from open places 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 Raghunathpur P.S. Case No. 132 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 Court No.2, Siwan/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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