

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50909 of 2022**

Arising Out of PS. Case No.-94 Year-2022 Thana- MAGADH UNIVERSITY District- Gaya

Digambar Yadav @ Digambar Kumar Yadav Son of Santosh Kumar Yadav  
R/O Village- Pirojgarh, P.S.- Ghoghardiha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jata Shankar Jha, Advocate

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

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

2      10-10-2022      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 Magadh  
University P.S. Case No. 94 of 2022 registered for the offence  
under Sections 414, 420 I.P.C. and 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 24.04.2022.

The allegation against the petitioner is to be engaged  
in illegal trading/manufacturing of illicit liquor, where, there  
was recovery of 438.24 litres of illicit IMFL/country made  
liquor.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is a helper and having no connection with seized registration plate and also with alleged vehicle. It is further submitted that seizure list is not supported by independent witnesses, rather by police personnels creating a doubt over entire recovery. Petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, 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 seizure list appears doubtful being not supported by independent witnesses 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 Magadh University P.S. Case No. 94 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 Exclusive Special Excise Court No.1, Gaya/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

Archana/-

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