

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54883 of 2022

Arising Out of PS. Case No.-482 Year-2022 Thana- DHAKA District- East Champaran

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Amod Kumar @ Amod Prasad Yadav Son of Late Gajendra Rai R/o Village -
Parei, P.S.- Shikar Ganj, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Ms.Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-10-2022 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 Dhaka

P.S. Case No. 482 of 2022 registered for the offence under

Sections 413 and 34 of the Indian Penal Code 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 08.08.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there was recovery of 172.500 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was made from bag, which is not connected in any manner with the petitioner, whereas petitioner is the owner of the alleged motorcycle. It is further submitted that seizure list appears disputed, as same is not supported by independent witnesses rather by police personnels. It is also submitted that petitioner is a man of clean antecedent. While concluding the argument, it is categorically 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 not appears from the conscious physical possession of the petitioner, in the back ground of the disputed seizure list, where petitioner 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 Dhaka P.S. Case No. 482 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 Special Judge Excise, Court No.1, East Champaran, Motihari/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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