

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62099 of 2022

Arising Out of PS. Case No.-480 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

Dinesh Yadav @ Bigu Son of Late Mohan Chaudhary R/V- Tandwa, P.S-
Siwan Muffasil, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Tiwary, Advocate
For the State	:	Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the petitioner and learned APP 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 Siwan Muffasil P.S. Case No. 480 of 2022 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

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



custody since 22.08.2022.

The allegation against the petitioner is to be involved in the illegal trading of illicit liquor, where 270 liters of country made liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of disclosure made by the villagers. It is further submitted that recovery was made from open place, which is accessible by general public and, as such, it can be safely gathered that recovery of illicit liquor was not made from the conscious physical possession of the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as recovery of illicit liquor was made from open place coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Siwan Muffasil P.S. Case No. 480 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 Judge, Excise Court No.2, Siwan/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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