

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55394 of 2022

Arising Out of PS. Case No.-291 Year-2022 Thana- KOILWAR District- Bhojpur

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RUDAL KUMAR YADAV S/O RAJESH YADAV Resident of village-
Pipariya, P.S.- Ara Muffasil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, 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 Koilwar
(Gidha) P.S. Case No. 291 of 2022 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 11.05.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 140 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was not made from the conscious physical possession of this petitioner, where seizure list is disputed being not supported by independent witnesses rather by police personnels. It is further submitted that petitioner is a man of clean antecedent. 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 illicit liquor was not made from the conscious physical possession of the petitioner, who 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 Koilwar (Gidha) P.S. Case No. 291 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 ADJ-XI, Excise Court-II, Bhojpur at
Ara/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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