

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55663 of 2022

Arising Out of PS. Case No.-201 Year-2021 Thana- BUXAR INDUSTRIAL District- Buxar

Sudhir Yadav @ Sudhir Kumar Yadav @ Sudhir Kumar S/O Rajdeo Yadav
R/O Village- Majharia, P.S.- Buxar(Ind.), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, App

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-10-2022 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 Buxar (Ind.)
P.S. Case No. 201 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 18.05.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 30.780 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that the name of petitioner surfaced in present case on the
basis of disclosure made by co-accused namely, Chandan Yadav and
admittedly, no recovery of illicit liquor was made from conscious



physical possession of this petitioner. It is further submitted that petitioner implicated in present case only for the reason that he involved in four more similar nature of cases, where in maximum of cases his name surfaced on the basis of disclosure of co-accused as of present case. While concluding the argument, it has been submitted that 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 recovery of illicit liquor not appears from conscious physical possession of this petitioner 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 Buxar (Ind.) P.S. Case No. 201 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 Exclusive Special Judge, Excise 1st, Buxar/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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