

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59836 of 2022

Arising Out of PS. Case No.-843 Year-2022 Thana- SHERGHATI District- Gaya

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Ramdeo Yadav S/o Amrit Yadav R/o Village- Tillalya, P.S.- Gidhour, Distt-
Chatra, State- Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Binod Kumar, Advocate
For the State	:	Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Sherghati
(Dhobi) P.S. Case No.843 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 12.09.2022.

The allegation against the petitioner is to be in
possession of illicit liquor, where, there was recovery of 240
litres of illicit IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was driver of the alleged tempo, from where alleged illicit liquor was recovered. It is further submitted that as alleged vehicle is a public carrier, accessible by general public, it can be safely gathered that recovery of illicit liquor was not made from conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sherghati (Dhobi) P.S. Case No.843 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction learned



Exclusive Special Excise Judge, Court No.2, Gaya/concerned
court, subject to the conditions as mentioned under Section
437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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