

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62001 of 2022

Arising Out of PS. Case No.-291 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Kaimur (Bhabua)

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Sonu Kumar Yadav Son of Shri Chandrama Yadav Resident of Village -
Mahavir Path, East Patel Nagar, P.S. - Shastri Nagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

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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 Kaimur
(Bhabhua) Excise P.S. P.R. 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 07.09.2022.

The allegation against the petitioner is to have in
possession of 362.280 liters of foreign liquor.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was the driver of the alleged vehicle, from where alleged illicit liquor was recovered. It is submitted that nothing surfaced during course of investigation, which may suggest that petitioner was aware about the illegal consignment of illicit liquor, as such, it cannot be said that illicit liquor was recovered from conscious physical possession of the petitioner. It is further submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. While concluding the argument, it is submitted that petitioner is a man of clean antecedent, moreover, investigation in this case is complete, for which, charge-sheet 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 seizure list appears doubtful being not supported by independent witnesses rather by police personnel coupled with the fact that chargesheet has been submitted, let the petitioner, above named, be directed to be released on bail in connection with Kaimur (Bhabhua) Excise P.S. P.R. 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 Special Judge, Excise No.2-cum-Additional District Judge-VII, Kaimur at Bhabhua, Bihar/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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