

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65408 of 2022

Arising Out of PS. Case No.-319 Year-2022 Thana- RAFIGANJ District- Aurangabad

Yugesh Kumar @ Yugesh Yadav Son Of Mahindra Yadav R/O Vill.-
Chandaul, P.O.- Sihuli, P.S.- Rafiganj, Distt.- Aurangabad (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Shailesh Kumar Singh, Advocate
For the State : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

The petitioner seeks bail in connection with Rafiganj P.S.
Case No.319 of 2022 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 12.08.2022.

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

Learned counsel appearing on behalf of the petitioner
submitted that the alleged recovery of illicit liquor was made
from an open area near '**Fesra Bridge**', while petitioner was



crossing the place of recovery. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, 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.

In view of the facts and circumstances as mentioned above as recovery of alleged illicit liquor not appears to be made from conscious physical possession of the petitioner coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with Rafiganj P.S. Case No.319 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 Special Judge, Excise-I, Aurangabad/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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