

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64693 of 2022**

Arising Out of PS. Case No.-282 Year-2022 Thana- DAGARUA District- Purnia

Vikram Kumar Yadav S/o Raja Ram Yadav R/v- Borwa, P.S.- Ghanshyampur,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, 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 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 Dagarua
P.S. Case No. 282 of 2022 registered for the offence under
Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise
Act, 2018 and under Sections 272 and 273 of the Indian Penal
Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.09.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is



recovery of 118.800 litres of IMFL/country made liquor from the alleged vehicle.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is the driver of the vehicle, where admittedly, alleged illicit liquor belongs to one Santosh Kumar Yadav, where nothing surfaced during the course of investigation, which may suggest that petitioner was aware about the consignment of the illicit liquor and, as such, it can be safely suggest that the recovery was not made from the conscious physical possession of this petitioner, who is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, 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 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 Dagarua P.S. Case No. 282 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 Exclusive Special Excise Judge, Excise-I, Purnea/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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