

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6848 of 2023

Arising Out of PS. Case No.-141 Year-2022 Thana- CHHAURADANO District- East
Champaran

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PREMSHANKAR YADAV S/O RAGHUVIR RAI Resident of village-
Kudarkat, P.S.- Chhauradano, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Chhauradano P.S. Case No. 141 of 2022, dated 11.05.2022
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of
three litres of foreign liquor and the same is stated to have been
recovered from a *Bamboo Orchard*, situated at the bank of *Tiyar*
River and the said place is an open place having access to
everyone and the petitioner was not apprehended at the spot of
recovery when the said alleged wine was recovered and he has



been languishing in jail since 26.11.2022, though against him there are criminal antecedents of three cases but he has got bail in one case and in the present matter the investigation has been completed against him.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly the facts that the alleged wine is stated to have been recovered from an open place situated at the bank of *Tiyar River* and petitioner is not stated to have been arrested at the spot when the alleged wine was recovered and also taking into account the quantity of the alleged recovered liquor and also the fact that against the petitioner investigation has been completed, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Chhauradano P.S. Case No. 141 of 2022.

(Shailendra Singh, J.)

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