

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29043 of 2023

Arising Out of PS. Case No.-439 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

=====

Surendra Kumar Yadav S/O Parmanand Yadav R/O Mirjapur, P.S- Sabour,
Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Madan Mohan, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 18-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Excise
(Sadar) P.S. Case No. 439 of 2022 dated 08.11.2022 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of 19
litres of illicit country-made liquor which was recovered from a
sack kept on a motorcycle in the possession of the co-accused
Fulcharan Das and thereafter in following with disclosure made
by the said co-accused, 43 litres of country made liquor was also
recovered from the alleged house but the petitioner had no
concern with any of the said recoveries, in actual he was

residing in the alleged house as a tenant and he was arrested merely on the basis of suspicion and the alleged liquor was not recovered from his physical or conscious or constructive possession and against him the investigation has been completed and he has been languishing in jail since 10.11.2022 having fair and clean antecedent.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail in connection with **Excise (Sadar) P.S. Case No. 439 of 2022** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Shahnawaz/-

U		T	
---	--	---	--