

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41209 of 2023

Arising Out of PS. Case No.-405 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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Raja Kumar Son Of Lalo Yadav @ Lalo Prasad Yadav Resident Of Village
Chamgarh/Chamagadh, Ward No. 09, Police Station-Murliganj, District-
Madhepura. Petitioner/S

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with
Madhepura Sadar Excise P.S. Case No. 405 of 2023 registered
for the offence under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 18.05.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 93 litres of foreign liquor from the car.

6. Learned counsel appearing on behalf of the
petitioner submitted that petitioner was not apprehended with



car, from where alleged illicit liquor was recovered. It is submitted that implication of petitioner mere on the basis of suspicion. While concluding the argument, it is submitted that petitioner found involved in three more criminal cases, where he is on bail

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above as alleged recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, where petitioner is in custody since 18.05.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Madhepura Sadar Excise P.S. Case No. 405 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VIIth-Cum-Exclusive Special Excise Judge-IIInd, Madhepura/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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