

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42853 of 2023

Arising Out of PS. Case No.-127 Year-2023 Thana- HATHUA District- Gopalganj

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VIVEK YADAV SON OF RAMBILASH YADAV RESIDENT OF VILLAGE
NARKATIYA, PO NARKATIYA, PS NAUTAN, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 26-07-2023 1. Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.
2. The petitioner seeks bail in connection with Hathua
P.S. Case No.127 of 2023 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act.
3. The accused/petitioner is named in the F.I.R. and is
in custody since 30.05.2023.
4. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 1060.920 litres of IMFL.
5. Learned counsel appearing on behalf of the
petitioner submitted that the recovery of alleged illicit liquor
appears to be made from Scorpio vehicle, which was jointly
occupied and not from the conscious physical possession of this
petitioner. 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 submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as alleged illicit liquor was recovered from jointly occupied vehicle coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 30.05.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Hathua P.S. Case No.127 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-II-cum Special Excise Judge-01, Gopalganj/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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