

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44719 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- HARLAKHI District- Madhubani

Suraj Yadav, Son Of Suvansh Yadav Resident Of Manoharpur, P.S. Harlakhi,
District – Madhubani.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-08-2023 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
Harlakhi P.S. Case No. 60 of 2023 registered for the offence
under Sections 272 and 273/34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 13.05.2023.

5. The allegation against the petitioner is to be



engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 414 litres of IMFL/country made liquor from the place of occurrence.

6. Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor was made under the bundle of straw, which was at open place and easily accessible by general public and it can be said safely that recovery of alleged illicit liquor not appears to be made 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 is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above as alleged recovery of illicit liquor appears to be made from an open place, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 13.05.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Harlakhi P.S. Case No. 60 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 Sessions Judge II cum Special
Judge Excise Act, Madhubani/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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