

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43346 of 2023

Arising Out of PS. Case No.-130 Year-2021 Thana- GOGRI District- Khagaria

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Kailu Yadav @ Ranvir Yadav Son Of Anirudh Yadav Resident Of Village-
Baraitha, P.S-. Gogari, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with Gogri P.S.
Case No. 130 of 2021 registered for the offence under Sections 30(a)
of the Bihar Prohibition and Excise Act, 2018.

3. The accused/petitioner is named in the F.I.R. and is in
custody since 24.04.2023.

4. The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there is recovery
of 104.475 litres of IMFL/country made liquor from the place of
occurrence.

5. Learned counsel appearing on behalf of the petitioner
submitted that petitioner was not apprehended on spot and his name
surfaced in this case on the basis of the disclosure made by co-
accused Krishna Kumar, where in furtherance of no incriminating



material recovered/surfaced as to connect this petitioner with present recovery of alleged illicit liquor. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears to be made from conscious physical possession of this petitioner coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 24.04.2023, accordingly, above named petitioner is directed to be released on bail in connection with Gogri P.S. Case No. 130 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Khagaria/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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