

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48456 of 2023

Arising Out of PS. Case No.-272 Year-2023 Thana- KADAMKUAN District- Patna

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MUNNA YADAV SON OF JAGDISH YADAV @ JANGALI RAI R/O-
RAJENDRA NAGAR DEVI ASTHAN P.S.-KADAM KUAN, DISTT.-
PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, 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 09-08-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

2. At the outset it is submitted that correction is required

to be made in the prayer portion as inadvertently bail has been
typed as anticipatory bail.

3. Request allowed, same be corrected during the course

of day itself.

4. The petitioner seeks bail in connection with Kadam

Kuan P.S. Case No. 272 of 2023 registered for the offence under

Section 30(a) of the Bihar Prohibition and Excise Act.



5. The accused/petitioner is named in the F.I.R. and is in custody since 29.05.2023.

6. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 77.130 litres of IMFL/country made liquor.

7. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the house of co-accused Sanjay Sahni, 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 been submitted, as such, there is no chance of tampering with the evidence.

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

9. Considering the facts and circumstances as mentioned above as recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 29.05.2023, accordingly, above named petitioner is directed to be released on bail in connection with Kadam Kuan P.S. Case No. 272 of 2023 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 Special Excise Judge, Patna/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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