

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60108 of 2023**

Arising Out of PS. Case No.-171 Year-2021 Thana- GOGRI District- Khagaria

Dhananjay Yadav Son of Indo Yadav @ Indu Yadav Resident of Village-
Shishwa, Ps- Gogri, Distt- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 08-09-2023 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. 171 of 2021 registered for the offence under
Section 30-A of the Bihar Prohibition of Excise Act, 2018.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 29.04.2023.

4. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 57.750 litres of IMFL/country made liquor.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner was not apprehended on spot and his name surfaced in the present case out of suspicion raised by local chowkidar, where nothing recovered/surfaced during the course of investigation as to incriminate petitioner with the present recovery of illicit liquor. While concluding the argument, it is submitted that one of the reason for implication of this petitioner in the present case are is his criminal antecedents, as he found involved in three more cases of similar nature, 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 appearing on behalf of State, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as recovery of alleged 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 29.04.2023, accordingly, above named petitioner is directed to be released on bail in connection with Gogri P.S.



Case No. 171 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 Ananya Special Judge
Excise, Ist 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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