

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49382 of 2024

Arising Out of PS. Case No.-7 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

Chhotu Yadav @ Raviranjana Kumar @ Chhotu S/O Krishan Murari @ Murai
Prasad Yadav @ Murari Yadav R/O Village-Akauna (Harichandra Bigha @
Hari Chandan Bigha), P.S.-Muffasil, Distt-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-08-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State representing the State.
2. The petitioner seeks regular bail in connection with G.O. Case No. 07 of 2019, dated 29.12.2018, registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the prosecution report, the excise officials recovered 980 litres of illicit country-made liquor from an open field situated by the side of the house of the petitioner.
4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence in the manner alleged. He further submits that the place, from



illicit liquor has been recovered does not belong to the petitioner and it is an open space, which is accessible to all and sundry. He further submits that the petitioner has been remanded in this case on 07.06.2022. He next submits that co-accused person has been granted bail by a co-ordinate Bench of this Court, vide order, dated 06.05.2024, passed in Criminal Misc. No. 34280 of 2024.

- 5. Having regards to the submissions advanced on behalf of the parties and taking into consideration the fact that the place, from where illicit liquor has been recovered, is an open space, accessible to all and sundry and the petitioner is in custody since 07.06.2024, I am inclined to grant bail to the petitioner.
- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Nawada, in connection with G.O. Case No. 07 of 2019.

(Anil Kumar Sinha, J.)

Raj Ranjan/-

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