

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53355 of 2024

Arising Out of PS. Case No.-176 Year-2024 Thana- ALOULI District- Khagaria

Rohit Yadav @ Rohit Kumar SON OF RAMSAGAR YADAV R/V - Pokhra,
Ward No.7, P.S. - Alauli, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-08-2024 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Alauli P.S. Case No. 176 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 774 litres of IMFL.

4. Learned counsel for the petitioner submitted that petitioner appears implicated falsely with present case for the only reason that as pickup van which found



carrying 774 liters of illicit liquor was found parked in front of his house. It is submitted that on the basis of secret information petitioner was implicated with present case and admittedly there is no recovery from the conscious physical possession of this petitioner. It is also submitted that seizure list also appears doubtful as being supported by police personals only and moreover this petitioner is a man of clean antecedents.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions, and by taking note of fact as recovery of illicit liquor prima-facie appears doubtful from the conscious physical possession of this petitioner, accordingly petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-I, Khagaria/concerned Court,



where the case is pending in connection with Alauli P.S.
Case No. 176 of 2024, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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