

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39950 of 2021**

Arising Out of PS. Case No.-121 Year-2021 Thana- GOPALPUR District- Bhagalpur

PRABESH YADAV Son of Acche Yadav @ Achchelal Yadav Resident of
Village - Jagatpur, P.S.- Parvatta, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 14-12-2021

Heard.

The petitioner seeks regular bail in connection with Gopalpur P.S. Case No. 121 of 2021 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 30.375 liters of illicit liquor from the rooms situated in the house of the in-laws of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 7.6.2021. The learned counsel for the petitioner has further submitted that no illicit liquor has been recovered from the conscious possession of the petitioner or from his house.

Per contra, the learned APP appearing for the



State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that no illicit liquor has been recovered either from the conscious possession of the petitioner or from his house, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum- Special Judge, Excise Act, Bhagalpur in connection with Gopalpur P.S. Case No. 121 of 2021.

(Mohit Kumar Shah, J)

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