

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43767 of 2021

Arising Out of PS. Case No.-223 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

UMESH YADAV Son of Late Prashidh Yadav Resident of Village- Sadatpur,
P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Prasad Singh
For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-11-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 1251 liters of foreign liquor has been recovered from a truck and petitioner has been named in this case on the basis of confessional statement of co-accused, Vijendra Kumar, who was arrested on the spot.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner is neither driver nor owner of the vehicle in question. Petitioner claims clean



antecedent and is in custody since 04.06.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum- Special Judge, Excise Act, Gopalganj in connection with Kuchaikot PS case No. 223/2021.

(Prabhat Kumar Singh, J)

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