

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17532 of 2022

Arising Out of PS. Case No.-410 Year-2021 Thana- GOGRI District- Khagaria

DHANESHWAR YADAV Son of Mungeri Yadav @ Maheshwar Yadav
Resident of village - Goraiya Bathan, P.S.- Gogri, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh
For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Gogri PS Case No. 410/2021 registered for the offence punishable under Sections 30(a) of Bihar Prohibition & Excise Act.

The police personnel, on the basis of secret information, that some accused persons are engaged in manufacturing and storing of illicit liquor, proceeded towards the place of occurrence and upon seeing the police party six to seven persons succeeded in fleeing away. However, the police recovered 10 litres of *Mahua* liquor and 2500 litres of fermented *Mahua* and other articles meant for manufacturing liquor. Name of the petitioner and other accused persons has been disclosed by the local people.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of secret information received by the police and no illicit liquor has



been recovered from his conscious possession or from the premises belonging to him. He further submits that similarly situated accused persons, namely, Sri Lal Yadav & Mannu Yadav @ Abhimanyu Yadav *vide* Cr. Misc. No. 16702/2022 and one Bablu Yadav *vide* Cr. Misc. No. 21677/2022 have been granted anticipatory bail by a Bench of this Court and the petitioner is in custody since 03.02.2022.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from his conscious possession or from the premises belonging to him, petitioner is in custody since 03.02.2022 and the similarly situated co-accused persons have been granted anticipatory bail, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court-1, Khagaria in connection with Gogri PS Case No. 410/2021.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

