

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43446 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- GAYA RAIL P.S. District- Gaya

SHYAM KUMAR @ SHAMU YADAV SON OF LATE SATYENDRA
PRASAD YADAV @ SACHU YADAV R/O VILLAGE- MUSTAFABAD,
WARD NO.30, P.S.- RAMPUR, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Lakshmi Kant Sharma, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2022 Heard the learned counsel for the senior petitioner and
the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
G.R.P. Rail Gaya P.S. Case No. 30 of 2021 for the offence
registered under Section 30(a) of the Bihar Prohibition & Excise
Act.

The allegation is regarding the petitioner having been
caught by the police on railway platform and on search one
bottle of illicit foreign liquor containing 750 ml was recovered.

The learned senior counsel for the petitioner Shri
Ramakant Sharma has submitted that the petitioner is innocent,
has been falsely implicated in the present case and he is
languishing in custody since 23.02.2021. The learned senior



counsel for the petitioner has further submitted that since the petitioner is having a bad antecedent, he has been made an accused in the present case. It is also submitted that in some of the cases the petitioner has been granted bail, however, he is yet to be granted bail in most of the cases.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned senior counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned Additional Session Judge-II-cum-Special Judge, Excise Act, Gaya in connection with G.R.P. Rail Gaya P.S. Case No. 30 of 2021.

(Mohit Kumar Shah, J)

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