

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64691 of 2021**

Arising Out of PS. Case No.-213 Year-2019 Thana- NAWANAGAR District- Buxar

PAPPU YADAV @ KAMLESH YADAV Son of Gupteshwar Yadav Resident
of village - Fatehganj, P.S. Dawath, Distt. - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 08-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 439 and 34 of the Indian Penal Code and sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, huge consignment to the tune of 2820 litres of IMFL was recovered and on enquiry it transpired that the same belong to the eight named accused persons besides others which included the petitioner herein.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of his antecedents. Neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He has no concern either with the seized liquor



nor with the truck in question. He is in custody since 5.9.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the nature of allegation in the FIR together with the petitioner not having any criminal antecedent and having remained in custody for over 7 months, the Court directs the petitioner to be enlarged on bail in connection with Nawanagar P.S. Case no. 213 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge, Excise Act, Buxar.

(Partha Sarthy, J)

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