

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70505 of 2021**

Arising Out of PS. Case No.-39 Year-2020 Thana- JADOPUR District- Gopalganj

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BISHWKARMA YADAV @ VISHWAKARMA YADAV Son of Rajnet  
Yadav Resident of Village- Yadawpur Dukhharn (Patahra) Purwaripati, P.S.-  
Jadopur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Raj Ballabh Singh

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

2      09-06-2022      Heard the learned counsel for the petitioner  
and the learned APP for the State.

The petitioner seeks regular bail in  
connection with Yadopur alias Jadopur P.S. Case  
No. 39 of 2020, registered for the offence  
punishable under Sections 30(a) of the Bihar  
Prohibition and Excise Act, 2018.

The allegation is regarding recovery of  
178.74 liters of illicit foreign wine from two boats.

The learned counsel for the petitioner has  
submitted that the petitioner is innocent and he  
has been falsely implicated in the present case.  
The learned counsel for the petitioner has



further submitted that though the petitioner is an accused in one other case, but he is on bail in the said case. The petitioner is stated to be languishing in custody since 16.10.2021. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in the present case merely upon disclosure made by the local chaukidar regarding the petitioner being one of the person, who had managed to flee away from the place of occurrence. It is also submitted that neither the petitioner has been apprehended from the spot nor any illicit liquor has been recovered from his conscious possession.

Per contra, the learned APP 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 counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither the petitioner has been arrested



from the spot nor any illicit liquor has been recovered from his conscious possession, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge, Excise, Gopalganj in connection with Yodopur alias Jadopur P.S. Case No. 39 of 2020.

**(Mohit Kumar Shah, J)**

Ajay/-

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