

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2994 of 2023

Arising Out of PS. Case No.-416 Year-2022 Thana- SIMRI District- Buxar

Subash Yadav Son of Shiv Shankar Yadav Resident of Village - Pranpur, P.S.-
Kotwali, District - Ballia (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

It is a case of recovery of total 6 litres country made liquor from the petitioner and from co-accused total 03 liters liquor and further other articles also recovered from their possession.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no independent eye witness of the alleged occurrence and seizure list was prepared in the presence of raiding team, which has not followed as per



provision of law. It is further submitted that the petitioner is languishing in judicial custody since 12.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Simri P.S. Case No. 416 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-2, Buxar.

(Sunil Kumar Panwar, J)

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