

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2440 of 2023

Arising Out of PS. Case No.-428 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

Sunil Yadav S/O Sudarshan Yadav @ Sudarshan Rai Resident Of Village-
Jamira, P.S.- Ara Muffasil, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 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 Bihar Prohibition and Excise Amendment Act, 2018.

As per prosecution case, informant alleged that on 12.12.2022, after getting a secret information he along with police party reached at the place of occurrence and recovered total 60 litres country made wine from two bags and also a Passion Pro Motorcycle seized bearing Engine No. HA10ETFHA26931, but accused persons managed to flee away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. It is



submitted that except the identification of local Chaukidar no any cogent evidence has come against the petitioner and it is further submitted that nothing any incriminating article has been recovered from his conscious possession. Neither the petitioner is arrested on the spot nor seized motorcycle belongs to him. He has got no criminal antecedent. The petitioner is languishing in judicial custody since 14.12.2022.

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 as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ara Muffasil P.S. Case No. 428 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-Ist, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

Manish/-

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

