

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2954 of 2023

Arising Out of PS. Case No.-118 Year-2021 Thana- BAHERA District- Darbhanga

Niranjan Kumar Yadav @ Niranjan Yadav S/O Ram Udgar Yadav R/O
Village- Baghnochi, P.S.- Baheri, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishor Prasad

For the Opposite Party/s : Mr.Upendra Kumar

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 Bihar Prohibition and Excise Act.

It is a case of recovery of total 630 liters country made liquor from orchard, which contained in 840 bottles of 750 ml each and after that this case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. No one has been arrested on the spot and petitioner has falsely been implicated in this case merely on the basis suspicion and secret information. There is no direct and indirect evidence found against the petitioner. It is further submitted that the seizure list



has been prepared in the presence of police personnel and provision of Section 100 of the Cr.P.C. has not been followed. Petitioner is languishing in judicial custody since 04.07.2022.

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 Bahera P.S. Case No. 118 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Darbhanga.

(Sunil Kumar Panwar, J)

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