

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4038 of 2023

Arising Out of PS. Case No.-477 Year-2022 Thana- GURUA District- Gaya

Umesh Yadav S/O Dwarika Yadav R/v- Jirhulia (Jajlo), P.S.- Hunterganj,
District- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 27-04-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Gurua P.S. Case No. 477 of 2022 dated 02.12.2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.
3. The main submissions advanced by learned counsel for petitioner are that the petitioner is quite innocent and he has been falsely implicated in this case and alleged wine has not been recovered from his conscious possession, though 50 litres of country made wine (Mahua) is alleged to have been recovered from a motorcycle, but the petitioner is not the owner of the said motorcycle, he has been apprehended in this case merely on the basis of suspicion. Further submissions are that the petitioner has one criminal antecedent in which he is on bail

and he has been languishing in jail since 03.12.2022.

4. Learned APP for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner’s custody period and completion of investigation against him, in my opinion, a lenient approach can be taken in respect of the petitioner’s prayer. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Gurua P.S. Case No. 477 of 2022.

(Shailendra Singh, J)

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