

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5743 of 2023

Arising Out of PS. Case No.-249 Year-2022 Thana- MAJHAULIA District- West Champaran

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RAMBABU YADAV @ RAM BABU YADAV Son of Bhagwat Yadav
Resident of Village- Ahwar Shekh, Ward No.-3, P.S.- Majhauilya, District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-05-2023 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 Act.

Prosecution case relates to recovery of total 45 liters
illicit liquor from a hut situated near house of the petitioner and
the petitioner is alleged to have involved in the trade of liquor
who was fled away from the place of occurrence.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this present case.
Petitioner has no concern with the alleged recovery of illicit



liquor or with the place of recovery. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 6.9.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Manjhauliya P.S. Case No. 249 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 Judge Excise, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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