

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6751 of 2023**

Arising Out of PS. Case No.-374 Year-2022 Thana- CHAKAND District- Gaya

Guddu Yadav Son Of Bal Kishun Yadav Resident Of Village- Bahadur Bigha,
P.S.- Chakand, District- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 01-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under section 414 of Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 30 litres of country made liquor kept in 6 polythene bag on a motorcycle bearing Reg. No. BR-02AM-3569. Petitioner is alleged to be driver of the aforesaid motorcycle.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely



been implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 12.11.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. vehemently opposed the prayer of Bail and submitted that petitioner was the driver of motorcycle from which liquor has been seized.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court NO. 1, Gaya in connection with Chakand P.S. Case No. 374 of 2022.



The petitioner is directed to deposit a sum of Rs.
5,000/-(Rupees Five Thousands) in the concerned
District Legal Services Authority.

The bail bond of the petitioner shall be accepted
by the learned Court below on showing receipt of deposit
of Rs. 5,000/-(Rupees Five Thousands) in District Legal
Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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