

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7441 of 2023**

Arising Out of PS. Case No.-490 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Bhojpur

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Kameshwar Yadav Son Of Late Ram Gayan Yadav R/O Village- Taregna,  
P.S.- Bihita, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh  
For the Opposite Party/s : Mr.Ajay Kumar No. 2

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

2      02-05-2023                      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 sections 30(a)(c)  
  
of the Bihar Excise Act.

The prosecution case relates to recovery of total  
  
30 liters illicit liquor, which was recovered from the bank of  
  
Sone river. After that this case has been lodged

Learned counsel for the petitioner submits that the  
  
petitioner is innocent and has committed no offence. He has  
  
falsely been implicated in this case. The petitioner has no  
  
concern with the alleged recovery nor from the place of



occurrence rather alleged liquor was recovered from an open place. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 06.01.2023 passed in Cr. Misc No. 63716 of 2022. It is further submitted that the petitioner has got no criminal antecedent moreover he is languishing in judicial custody since 28.08.2022.

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 Excise P.S. Case No. 490 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 Special Excise Judge-II, Bhojpur at Ara.

**(Sunil Kumar Panwar, J)**

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