

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7982 of 2023**

Arising Out of PS. Case No.-217 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

BANARSI YADAV Son of Late Madhav Yadav Resident of Village- Bhanpur,  
P.S.- Durgawati, District- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Nath Singh Yadav

For the Opposite Party/s : Mr.Akshay Lal Pandit

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

2      12-04-2023                      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 the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 3899.160 liters illicit liquor from a DCM truck bearing Registration No. UP25DT-4780. Three motorcycles were also seized which were parked near the truck and the petitioner is owner of one of the seized motorcycles bearing Registration no. UP67X-6445.

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 truck in question from where the recovery has been made. It is further submitted vide para 11 of the petition that the petitioner is worker of Jaidayal Hytext Pvt. Ltd. Plastic factory and on the alleged date of occurrence he was parked his motorcycle there. Nothing incriminating article has been recovered from conscious possession of the petitioner. Moreover, similarly situated co-accused namely, Ranjan Yadav and Pramod Kumar Yadav have already been granted bail by this Court vide order 6.1.2023 passed in Cr. Misc. No. 70998 of 2022. Moreover, the petitioner is languishing in judicial custody since 15.11.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Durgawati P.S. Case No. 217 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 Additional Sessions



Judge-VII-cum Special Judge, Excise-II, Kaimur at Bhabhua.

(Sunil Kumar Panwar, J)

Amandeep/-

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