

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7457 of 2023

Arising Out of PS. Case No.-78 Year-2022 Thana- CHHAURADANO District- East
Champaran

PREMSHANKAR YADAV Son of Raghuvir Rai R/v- Kudarkat, P.S.-
Chhauradano, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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 182, 272, 273, 420, 308 of the Indian Penal Code and 30(a), 32, 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 570 liters of Nepali liquor kept hidden under sand behind Bathan of the petitioner and he is said to be involved in the trade of illicit liquor.

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 occurrence. Neither the petitioner



was apprehended on spot nor any incriminating article has been recovered from his conscious possession. Similarly situated co-accused namely, Mithu Paswan has already been granted bail by a co-ordinate Bench of this Court vide order 14.10.2022 passed in Cr. Misc. No. 50586 of 2022 and in support of this Annexure-2 has been annexed with this petition. It is further submitted that petitioner is languishing in judicial custody since 12.11.2022.

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 Chhaurandano P.S. Case No. 78 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 Excise Court No.2, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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