

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7020 of 2023

Arising Out of PS. Case No.-102 Year-2022 Thana- ANTI District- Gaya

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GOLA YADAV Son of Nankeshwar Yadav @ Nankesar Yadav R/V- Akauna
Lenjwa, P.S- hanterganj, dist- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Singh
For the Opposite Party/s : Mr. Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection
with Aanti P.S. Case no. 102 of 2022 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act and
Section 414, 420, 467, 468, 471, 272, 273 of the IPC.

Prosecution case relates to recovery of total 30 liters
illicit country made liquor from a stolen motorcycle bearing
Registration no. JH13D-2957 which is alleged to be driven by
the petitioner.

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 or with the



motorcycle in question from where the recovery has been made. No any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 20.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the vehicle from where the recovery has been made was alleged to be driven by this petitioner at the time of occurrence.

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

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 Aanti P.S. Case No. 102 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, Gaya.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten thousand) by the petitioner in the account of



the concerned DLSA.

(Sunil Kumar Panwar, J)

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