

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8482 of 2023

Arising Out of PS. Case No.-28 Year-2022 Thana- CHANAN District- Lakhisarai

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LAXMAN YADAV S/o Sadho Yadav @ Sadhu Yadav R/o village- Kundar,
P.S.- Chanan, Distt- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan
For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2023 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 sections 30(a)(b)(c) of the Bihar Prohibition and Excise Act.

The prosecution story, in brief, is that the police party reached at forest area of village Kundar after getting secret information then the accused persons fled away after seeing the police party. Upon search, total quantity of 100 liters country made liquor was recovered from place of occurrence.

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 arrested on spot nor any incriminating article has been recovered from his conscious possession rather his name came into light in this case on the basis of disclosure made by local Chaukidar. It is further submitted that the seizure list witness are police official not a single independent witness which violates the provision of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 9.12.2022.

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 Chanan P.S. Case No. 28 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 District and Sessions Judge-IV-cum-Special Excise Court 1st, Lakhisarai.

(Sunil Kumar Panwar, J)

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