

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7924 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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RAM NARESH YADAV Son of Late Chhedi Yadav Resident of Village-
Madhokhap, P.O.- Gosta, P.S.- Madanpur, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Renu Kumari

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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 sections 30(a)(c) of the Bihar Prohibition and Excise Act.

The prosecution case, in brief, is that after getting the secret information about illegal business of liquor, the informant along with police personnel raided at the house of the petitioner and arrested him. At the instance of this petitioner, total 192 liters illicit spirit has been recovered from his house.

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. A statement has been made in para-3 of the petition that the



petitioner has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor and the place of seizure is joint possession of house. Nothing incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the seizure list witness are police official not a single independent witness which violates section 100 of Cr.P.C. Moreover, petitioner is languishing in judicial custody since 14.1.2023.

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 Aurangabad Excise P.S. Case No. 38 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Aurangabad (Bihar).

(Sunil Kumar Panwar, J)

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