

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8388 of 2023**

Arising Out of PS. Case No.-190 Year-2022 Thana- GOPALPUR District- Gopalganj

DIPAK YADAV S/o Paras Yadav @ Parasnath Yadav R/o Village- Balahata,
(Balesra Tola Jahrulehata), P.S.- Unchkagaon, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

**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 section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 636.240 liters illicit liquor from a scorpio vehicle bearing Registration no. DL3CAS1247 and the petitioner is alleged to be fled away from the 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 vehicle in question from where the recovery



has been made. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 7.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner has got nine criminal antecedent of similar nature.

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 Gopalpur P.S. Case No. 190 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 Addl. District and Sessions Judge-IV-cum-Exclusive Special Excise Court No.-II, Gopalganj.

(Sunil Kumar Panwar, J)

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