

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10414 of 2023

Arising Out of PS. Case No.-104 Year-2022 Thana- PRATAPGANJ District- Supaul

Birendra Yadav Son Of Dhalai Yadav R/V- Bhawanipur, North, Ward No. 1,
P.S.- Pratapganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 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 section 30(a) Bihar Excise Act, 2018.

As per prosecution case, upon getting a secret information about the petitioner and two other co-accused persons hiding huge quantity of illicit liquor in some piece of land. A raid was conducted and three persons escaped from the place of occurrence. It is further alleged that from the alleged place, 258 liters of Nepali country made liquor along with two motorcycles were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to dirty village politics. Petitioner has no concern with the alleged recovery nor vehicles in question belong to him. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 04.03.2023 passed in Cr. Misc. No. 3787 of 2023. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 09.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pratapganj P.S. Case No. 104 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 Special Judge Excise, Supaul.

(Sunil Kumar Panwar, J)

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