

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9054 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- RAJNAGAR District- Madhubani

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VIMLESH KUMAR YADAV @ VIMLESH KUMAR Son of Ramashish
Yadav R/v- Jaypatti P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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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
instituted for the offence under Sections 272, 273 and 34 of the
Indian Penal Code and Section 30(a)/ 41(i) of the Bihar
Prohibition and Excise Act.

As per prosecution case, there has been recovery of
155.520 liters of illegal foreign liquor recovered from a Maruti
swift Car, bearing no. BR32AJ-3799, which was driven by the
petitioner.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the petitioner has apprehended on spot and he is the only owner of the seized vehicle but has no concern with the illicit liquor. Nothing incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 15.12.2022.

The application for bail is opposed by learned APP for the State.

The petitioner is directed to deposit Rs. 20,000/- (Twenty thousand) in the account of concerned DLSA.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court of Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Rajnagar P.S. Case No. 383 of 2022.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.



20,000/- (Twenty thousand) by the petitioner in the account of
concerned DLSA.

(Sunil Kumar Panwar, J)

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