

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14954 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- BABUBARHI District- Madhubani

GHANSHYAM YADAV Son of Mahendra Prasad Yadav @ Mahendra Yadav
R/O Village - Bela Devra, P.S.- Babubarhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 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) of the Bihar Excise (Prohibition) Amendment Act.

As per prosecution case, there has been recovery of 648 liters of illegal liquor from a Scorpio car.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner has neither named in the FIR nor apprehended on spot. The name of the petitioner has come into light, on the basis of confessional statement of apprehended co-accused namely, Manoj Kumar, which has got no evidentiary



value in the eyes of law. He submitted that the petitioner has no concern either with the seized vehicle or with the seized liquor. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 04.01.2023.

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

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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Babubarhi P.S. Case No. 271 of 2022.

(Sunil Kumar Panwar, J)

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