

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11794 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- HATHUA District- Gopalganj

Ashok Kumar Yadav S/O Uma Chaudhary R/V- Naren, P.S.- Andara, District-Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar Singh

For the Opposite Party/s : Mrs.Pushpa Sinha. I

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Hathua P.S. Case No. 15 of 2023 registered under sections 30(a) and 41(i) of the Bihar Prohibition and Excise Amendment Act.

Prosecution case relates to recovery of 85.8 liters of country made liquor from the Car bearing Registration No. UP32DK1202. Further all the accused persons including this petitioner were apprehended by the police after chase.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. It is further submitted that petitioner had no knowledge about the



illicit liquor kept in the car. It is also submitted that the petitioner was neither the driver nor the owner of the alleged car only for the reason that he was present in the said car, he has been dragged in this case. Nothing has been recovered from his conscious possession. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.01.2023.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Hathua P.S. Case No. 15 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-Cum-Special Judge Excise-1, Gopalganj.

(Sunil Kumar Panwar, J)

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