

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12802 of 2023

Arising Out of PS. Case No.-589 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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Bablu Yadav S/O Birender Yadav @ Birendra Yadav Resident Of Village-
Dharmpur (rampur Tengrahi), P.S.- Yadopur, District- Gopalganj.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Rajesh Kumar

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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 a case registered for the

offences punishable under Sections 414/34 of the Indian

Penal Code and Section 30(a)/ 41(1) of Bihar Prohibition

and Excise Act.

It is a case of recovery of 584.88 litres of

I.M.F.L. from a Scorpio vehicle bearing registration

number UP-32HJ-3522. Co-accused Manish Kumar was

apprehended on spot and he disclosed the name of



petitioner of the seized liquor.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner was apprehended on spot nor anything incriminating has been recovered from his conscious possession. His name sprang up in this case on the basis of confessional statement of co-accused Manish Kumar, who has already been granted bail vide order dated 20.10.2022, passed in Cr. Misc. No. 54007 of 2022 by the co-ordinate Bench of this Court. petitioner has no concern with the alleged recovery. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 11.01.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case as well as period of custody,
this Court is inclined to enlarge the petitioner on bail.
The above named petitioner is directed to be enlarged on
bail in connection with Gopalganj Town P.S. Case No.
589 of 2022 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 2nd
Additional Sessions Judge-cum-Special Judge, Escise I,
Gopalganj.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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