

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14495 of 2023

Arising Out of PS. Case No.-785 Year-2022 Thana- TURKAULIYA District- East
Champaran

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BIRA YADAV @ VIRA YADAV @ BIRALAL YADAV SON OF
CHANDRIKA YADAV R/O VILLAGE- GADARIYA, P.S.-
RAGHUNATHPUR (O.P.), DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 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 and 273 of the IPC
and Sections 30(a) and 41(i) of the Bihar Prohibition and Excise
Act.

As per prosecution case, there has been recovery of
100 liters of illegal country-made liquor from the paddy field of
one Lalit Rai.

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 not apprehended on spot.
He submitted that the petitioner has no concern with the seized



liquor. He submitted that name of the petitioner has come into light, on the basis of confessional statement of one *Chaukidar*, which has got no evidentiary value in the eyes of law. He is languishing in judicial custody since 28.11.2022.

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 Exclusive Special Judge Court No.1, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 785 of 2022.

(Sunil Kumar Panwar, J)

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