

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 14508 of 2023

Arising Out of PS. Case No.-777 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.Suresh Prasad Singh

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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 273/34 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 35
liters of illegal country-made liquor, one gas cylinder, pouch
punching machine and wrapper from the paddy field of
petitioner.

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. No incriminating article has recovered from the conscious possession the petitioner. He is languishing in judicial custody since 25.11.2022.

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 Excise Court No.1, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 777 of 2022.

(Sunil Kumar Panwar, J)

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