

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15634 of 2023

Arising Out of PS. Case No.-229 Year-2022 Thana- KISHUNPUR District- Supaul

Sanjay Yadav S/O Bhulla Yadav @ Fulla Yadav @ Bhula Yadav R/V-
Fulwaria, Ward No.-11, P.S.- Kishanpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav

For the Opposite Party/s : Mr.Bharat Lal

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 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case relates to recovery of total 225 liters Dilwala Sofi Nepali wine containing in jute bag, which was recovered from Basbiti/ bamboo orchad.

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 the basis of suspicion. Neither petitioner was arrested on the spot nor anything has been recovered from his conscious possession.



It is further submitted not a single witness has stated complicity of the petitioner in this alleged occurrence. Moreover, the petitioner is languishing in judicial custody since 25.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kishanpur P.S. Case No. 229 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Supaul, Court No-1.

(Sunil Kumar Panwar, J)

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