

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18100 of 2023

Arising Out of PS. Case No.-286 Year-2022 Thana- SINGHESHWAR District- Madhepura

SHAMBHU YADAV @ SHAMBHU KUMAR S/O Shivnandan Yadav R/O
Village- Bararahi, Ward No- 01, P.S- Shankarpur, District- Mdhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a), 32 (3) of the
Bihar Prohibition and Excise Amendment Act.

Prosecution case relates to recovery of 2268.72 litres
of IMFL from a truck bearing Reg. No. UK05CA-1463 and all
the accused persons managed to escape.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Petitioner is a daily
wage labor and he has no concern either with the alleged
recovery or with the vehicle in question. Neither the petitioner
was arrested on spot nor any incriminating article has been



recovered from his conscious possession. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 28.4.2023 passed in Cr. Misc. No. 14982 of 2023. He is languishing in judicial custody since 21.12.2022.

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

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 Additional Sessions Judge-V-cum-Special Judge, Excise Act-I, Madhepura in connection with Shingeshwar P.S. Case No. 286 of 2022.

(Sunil Kumar Panwar, J)

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