

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15880 of 2023**

Arising Out of PS. Case No.-195 Year-2022 Thana- PHULWARIYA District- Gopalganj

Dipak Yadav Son Of Paras Yadav @ Paras Nath Yadav R/V- Balesra Tola
Jahrulehata, Ps- Uchkagaon, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Ahmad Ali

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 29-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 427, 307 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 567.96 litres of illicit liquor from the Scorpio vehicle.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing incriminating has been recovered from the conscious possession of the



petitioner. The petitioner was not apprehended from the spot and only on the basis of confessional statement of apprehended accused, the petitioner has been roped in the present case. The petitioner has no concern either with the seized vehicle or the recovered country made liquor. The petitioner is languishing in custody since 07.12.2022.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise-I, Gopalganj in connection with Phulwariya P.S. Case No. 195 of 2022.

(Sunil Kumar Panwar, J)

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