

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22747 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

Nand Lal Yadav @ Dara Yadav, Son Of Jai Prakash Singh Yadav Resident Of
Village-Bhanpur, P.S.-Durgawati, District-Kaimur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Ms. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 3899.160 litre of liquor from a truck.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that he came to be implicated based on confessional statement
of co-accused Banarsi Yadav in police custody, which does not
have any evidentiary value. It is next submitted that petitioner is



neither the owner, nor the driver of the truck.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VII, Kaimur at Bhabhua in connection with Durgawati P. S. Case No.217 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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