

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30811 of 2023

Arising Out of PS. Case No.-183 Year-2022 Thana- BHAIKAVSHTHAN District-
Madhubani

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Gautam Kumar Yadav @ Gautam Yadav Son Of Jagannath Yadav @
Jagannath Yadav R/O Village- Olipur, P.S.- Bhairavsthan, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-05-2023 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 sections
34/420/467/468 and 471 of the IPC and Sections 30(a),
32/36/41 of Bihar Prohibition and Excise Act.

The prosecution case relates to recovery of total
1548 liters liquor which was recovered from a truck bearing
Reg. No. WB-11B-6526. It is further alleged that co-
accused persons were apprehended on the spot and upon his



confession name of the petitioner surfaced in this case.

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 confessional statement of co-caused person. Neither the petitioner was apprehended on the spot nor any incriminating article has been recovered from his conscious possession. It is submitted that vehicle in question does not belong to the petitioner He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 04.03.2023.

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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhairavsthan P.S. Case No. 183 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 Special



Judge, Excise Act, Jhanjharpur in the District of
Madhubani.

(Sunil Kumar Panwar, J)

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