

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34921 of 2023**

Arising Out of PS. Case No.-138 Year-2023 Thana- BRAHMPUR District- Buxar

SUKHLAL YADAV Son of Late Sheomurat Yadav Residents of Village-  
Chakki Hanuman Dera, PS- Chakki (O.P.), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Om Prakash Upadhyay  
For the Opposite Party/s : Mr.Arun Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      25-05-2023                      Learned counsel for the petitioner is permitted to  
remove defect (s), as pointed out by the office, if any, within a  
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner has preferred this application for grant  
of regular bail in connection with Brahmpur (Chakki) P.S Case  
No 138 of 2023 dated 11.03.2023 registered for the offences  
punishable u/s 30 (a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 108 litres of country  
made liquor was recovered from the motorcycle of the  
petitioner.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in 2 other criminal cases of the similar nature as stated in para 3 of the bail petition. The petitioner is in custody since 11.03.2023.

Learned A.P.P for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court 2<sup>nd</sup>, Buxar in connection with Brahmpur P.S. Case No 138 of 2023.

The application stands allowed.

**(Chandra Prakash Singh, J)**

Ajay Singh/  
Kaushik

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