

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35021 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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VIJAY YADAV SON OF LATE SONA YADAV RESIDENT OF VILLAGE-
GULABBAGH, PS- BARH, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Manglam
For the Opposite Party/s : Mr. Bharat Lal

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**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 Special Excise Case No. 2061

of 2023 arising out of Rail Bakhtiyarpur (Barh) P.S. Case No. 10

of 2023 dated 29.01.2023 registered for the offences punishable

under sections 147, 148, 149, 353, 307, 120 (B), 504 and 506 of

the I.P.C, section 27 of the Arms Act and u/s 30(a) of the Bihar

Prohibition and Excise Act.

As per the prosecution case, 15-20 unknown



miscreants are indulging in the business of liquor illegally. It is further alleged that when the co-accused persons were unloading the liquor from the coach of the train, the police apprehended one person. In the meantime, all the associates of the apprehended person came there and started pelting stones on the train and they fled away with the apprehended person.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of co-accused namely, Gautam Kumar. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has submitted that the petitioner has no concern with the alleged recovery. The petitioner is also accused in one more criminal case in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 26.02.2023.

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 Court concerned, Patna in connection with Special Excise Case No. 2061 of 2023 arising out of Rail Bakhtiyarpur (Barh) P.S. Case No. 10 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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