

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35535 of 2023

Arising Out of PS. Case No.-343 Year-2023 Thana- GAYA MUFASIL District- Gaya

NARESH YADAV SON OF LATE SHANICHAR YADAV RESIDENT OF
VILLAGE- DHANICHAK PS- MOHANPUR, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
33 liters of illegal foreign liquor from a motorcycle, which was
being driven by the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has apprehended on spot. He
submitted that the petitioner has no concern either with the
seized vehicle or with the wine in question. The provision of
Section 100 of the Cr.P.C. has not followed in this case, while



preparing the seizure list. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 20.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Gaya Muffasil P.S. Case No. 343 of 2023.

(Sunil Kumar Panwar, J)

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