

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39009 of 2023

Arising Out of PS. Case No.-234 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

BABLU KUMAR @ BABLU YADAV, NS/O LATE BIRENDRA YADAV
R/O Village- Dharpur, P.S- Yadavpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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

ORAL ORDER

2 05-07-2023 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 Baikunthpur P.S. Case No. 234 of 2021 dated 30.07.2021 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 259.200 litres of illicit foreign liquor was recovered from a pick-up van and the apprehended person disclosed the name of the petitioner who had given the said liquor to deliver to Vikash Singh.

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 name of the petitioner was disclosed by the apprehended person who has already been granted bail by the Coordinate Bench of this court vide order dated 13.06.2022 passed in Cr. Misc. No. 10391 of 2022. The petitioner is also accused in three other criminal cases and he is on bail in all the cases as stated in para 3 of the bail petition. The petitioner is in custody since 31.03.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of 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, Gopalganj in connection with Baikunthpur P.S. Case No. 234 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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