

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36756 of 2023

Arising Out of PS. Case No.-454 Year-2019 Thana- NAUTAN District- West Champaran

Madan Yadav Son Of Chana Yadav Shivrajpur Chharki Nautan, West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-07-2023 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 section 30(a) of the Bihar Prohibition and Excise Act.

According to the FIR, prosecution case relates to recovery of 190.225 liters foreign liquor from open place and this petitioner is said to be engaged in trade of illicit liquor.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case on the basis of secret information. Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. Neither the petitioner was apprehended on spot nor



any incriminating article has been recovered from his conscious possession. Moreover, similarly situated co-accused namely, Bayash Singh has already been granted bail by a co-ordinate Bench of this Court vide order 22.7.2022 passed in Cr. Misc. No. 24470 of 2022. The petitioner is languishing in judicial custody since 14.4.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nautan P.S. Case No. 454 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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