

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38171 of 2023

Arising Out of PS. Case No.-482 Year-2020 Thana- KISHANGANJ District- Kishanganj

SHAYAM YADAV S/O MAHIPAL SINGH @ MAHIPAL SINGH YADAV
R/O Village- Fatehpur Natha, PS. Bilari, Dist. Muradabad, UP

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-07-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in connection with Kishanganj P.S.Case no.482 of 2020 registered under sections 420, 273, 273 and 120B of the Indian Penal Code and sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on secret information, the informant started search and 3517.86 litres of illicit liquor was recovered from the truck. It is stated that the driver of the truck disclosed the mobile number of the petitioner as one of the persons who had loaded the liquor on the truck and sent it for delivery.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He



was not arrested at the spot. No incriminating article has been recovered from his possession. He is in custody since 3.1.2023 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and having gone through the materials on record, in view of the fact that the petitioner was not arrested at the spot, no incriminating article was recovered from his possession, the only material against him is the statement of the coaccused made before police, the petitioner having remained in custody since 3.1.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Kishanganj P.S. Case no. 482 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II -cum - Special Judge Excise-I, Kishangaj.

(Partha Sarthy, J)

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