

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42735 of 2023**

Arising Out of PS. Case No.-156 Year-2023 Thana- PHULWARIYA District- Gopalganj

LAXAMAN YADAV SON OF PAHWARI YADAV RESIDENT OF
VILLAGE- SHRI NAGER DHUSA, PS- PHULWARIYA, DISTT-
GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Zainul Abedin

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

ORAL ORDER

2 20-07-2023 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 Phulwariya P.S. Case No. 156 of 2023 dated 11.5.2023 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 44.200 litres of liquor is alleged to have recovered from a gunny bag which was loaded on a motorcycle.

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 petitioner has no concern with the alleged recovery. The name of the petitioner has sprung up in the confessional statement of co-accused Balinder Yadav. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.5.2023.

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, Gopalganj in connection with Phulwariya P.S. Case No. 156 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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