

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39177 of 2023**

Arising Out of PS. Case No.-780 Year-2022 Thana- BELAGANJ District- Gaya

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BAIJU YADAV S/O LATE VISHUNDEO YADAV R/O Village- Panari Tola,
Narayanpur, PS. Belaganj and Dist. Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

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**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 Belaganj P.S. Case No. 780 of

2022 dated 30.12.2022 registered for the offences punishable

u/ss 30(a) (c) (d) (g) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 1200 litres of

soaked *Jawa Mahua* was recovered from the field.

Learned counsel for the petitioner has submitted that

the petitioner is innocent and has falsely been implicated in this



case. No one apprehended on the spot. The name of the petitioner has sprung up in the confessional statement of local *chaukidar*. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.04.2023.

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, Gaya in connection with Belaganj P.S. Case No. 780 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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