

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41184 of 2023

Arising Out of PS. Case No.-504 Year-2023 Thana- GAYA MUFASIL District- Gaya

UDAY KUMAR SON OF AMBIKA YADAV RESIDENT OF VILLAGE-
AOORAIN, PS- TANKUPPA, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 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.

Prosecution case relates to recovery of total 50 liters of illicit country made liquor from a motorcycle bearing Registration no. BR02AR-8220 and the petitioner is said to have fled away from the place of occurrence.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is owner of the aforesaid motorcycle due to which he has falsely been implicated in this present case. He has got no criminal antecedent as stated in para-3 of the petition.



Petitioner has no concern with the alleged recovery of illicit liquor. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 5.5.2023.

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 Muffasil P.S. Case No. 504 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-I Gaya.

(Sunil Kumar Panwar, J)

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