

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41340 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- KHAJAULI District- Madhubani

Saroj Kumar Yadaav Son Of Ramakripal Yadav Vill Kasma, Marar, Ps-
Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Mohammed Arif

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 sections 420, 467, 468, 471 and 120B of the Indian Penal Code and Section 30(a), 32(1)(2), 41(1)(2) of the Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of total 1240.2 liters foreign made liquor from a truck bearing Reg. No. HR61B3713.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



confessional statement of the co-accused person. Neither the petitioner was apprehended on the spot nor vehicle in question belongs to him. It is further submitted that nothing incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 26.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khajauli P.S. Case No. 186 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II-cum-Special Judge, Excise Act, District, Madhubani.

(Sunil Kumar Panwar, J)

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