

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41448 of 2023

Arising Out of PS. Case No.-51 Year-2021 Thana- BITHAN BAZAR District- Samastipur

ARUN YADAV @ ARUN KUMAR YADAV son of Vimal Yadav @ Vimal
Kumar yadav Village- Sabhaypura Shobhaipura Ps- Hasanpur Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarbottam Kumar Sarkar

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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 30(a) and
30(f) of Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of
total 487.380 liters illegal liquor from a vehicle.

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. Neither the petitioner was apprehended
on the spot nor vehicle in question belongs to him. It is further
submitted that nothing has been recovered from his conscious



possession. Moreover, the petitioner is languishing in judicial custody since long.

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 Bithan P.S. Case No. 51 of 2021 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, Samastipur.

(Sunil Kumar Panwar, J)

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