

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41572 of 2023

Arising Out of PS. Case No.-217 Year-2021 Thana- KOTWA District- East Champaran

Lalan Yadav Son Of Virbahadur Ray Resident Of Village - Dipau, P.S. -
Kotwa, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Ahmad Ali

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 272, 273, of the IPC and Sections 30(a), 32, 41(1) Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of total 4553 liters illegal foreign made liquor from a truck bearing Reg. No. PB19H-7672.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. 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 17.05.2023.

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 Kotwa P.S. Case No. 217 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 Exclusive Special Excise Court-I, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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