

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47249 of 2023**

Arising Out of PS. Case No.-53 Year-2023 Thana- TAJPUR District- Samastipur

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OM PRAKASH YADAV @ OM YADAV @ OM PRAKASH SON OF @
DILIP KUMAR RAY @ DILIP RAY RESIDENT OF VILLAGE -
GODARGHAT, PS- KHANPUR, DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yatindra Narayan
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 03-08-2023 1. 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.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Tajpur P.S. Case No. 53 of 2023 dated 02.02.2023 registered for the offences punishable u/ss 120(B), 419, 420, 467, 468 read with Section 34 of the



Indian Penal Code and Sections 30 (a), (d), (g), 32, 41 of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 1909 empty bottles of different brands of foreign liquor and mobile phone were recovered from the thatched hut of Md. Chand and Md. Gulshad who disclosed the names of 17 persons including the petitioner for illegal business of liquor.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The name of the petitioner has sprung up on the disclosure of co-accused Md. Chand. The petitioner is accused in three other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 02.06.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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, Samastipur in connection with Tajpur P.S. Case No.
53 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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