

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44961 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- BISFI District- Madhubani

DINESH YADAV S/O RAMSOGARTH YADAV R/O VILLAGE- SAPTA,
PS. RAHIKA, DIST. MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273, 420, 467, 468, 471, 120(B) of the Indian Penal Code and sections 30(a), 36, 38(i), 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1523.880 litres of illicit liquor from a truck bearing Reg. No. UP14D3722 and on enquiry police came to know that 15-16 accused persons including the petitioner brought the said consignment for illegal trade.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. He has no concern with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the secret spy before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 4.6.2023.

Learned APP appearing for the State has 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani in connection with Bisfi (Patauna) P.S. Case No. 191 of 2023.

(Sunil Kumar Panwar, J)

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