

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46388 of 2023

Arising Out of PS. Case No.-188 Year-2021 Thana- AKBARPUR District- Nawada

Bholi Yadav S/O Brahmdeo Yadav R/O Village- Dibour Gopalpur, Ps.
Rajauli, Dist. Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 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 and 471 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1990.35 liters of foreign liquor from a Truck bearing Registration No. BR-01P-9176.

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 suspicion. The petitioner is not named in FIR rather his name came into light in this case during the course of investigation. It is further



submitted that neither anything incriminating article has been recovered from his conscious possession nor he has been arrested on spot by the police. Only being the liner of this alleged offence, he was arrested by the police. He has been remanded in this case from another case on 31.05.2023 and since then he is languishing in judicial custody.

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 Akbarpur. P.S. Case No. 188 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 Judge-Ist, Nawada.

(Sunil Kumar Panwar, J)

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