

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48115 of 2023

Arising Out of PS. Case No.-467 Year-2023 Thana- FATEHPUR District- Gaya

UPENDRA YADAV S/o Ganga Yadav R/o Village-Kadarchuan, P.S.-
Fatehpur, District-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Onkar Nath

For the Opposite Party/s : Mr. Rana Randhir Singh

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.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of total 410 liters of country made liquor from five motorcycles out of which 100 liters liquor was recovered from petitioner's motorcycle.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. He has got no criminal antecedent as stated in para-3 of the bail petition. Petitioner has no concern with the



alleged recovery of illicit liquor. It is also submitted vide para 11 of the petition that neither the petitioner is owner of the seized motorcycle nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 30.6.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. 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 released on bail in connection with Fatehpur P.S. Case No. 467 of 2023 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 No.1, Gaya.

(Sunil Kumar Panwar, J)

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