

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49325 of 2023

Arising Out of PS. Case No.-338 Year-2022 Thana- NAUGACHIA District- Bhagalpur

Pawan Yadav Son Of Mistri Yadav Resident Of Village - Dhobinia, P.S. -
Naugachia, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-08-2023 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 37 and 45 of the Bihar Prohibition and Excise Act.

Allegation against the petitioner is that he created hindrance in discharging the official duties of the police personnel. It is further alleged that he along with other co-accused person pushed the police personnel due to which they sustained injuries and the petitioner was apprehended by the police in the state of drunkenness which has been verified with the help of breath Analyser test.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to previous enmity. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. Only allegation against the petitioner is that he was found in the state of drunkenness. Moreover, he is languishing in judicial custody since 06.11.2022.

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 Naugachia P.S. Case No. 338 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Exclusive Excise Court No.2, Bhagalpur.

(Sunil Kumar Panwar, J)

shubham/-

U		T	
---	--	---	--

