

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57259 of 2023

Arising Out of PS. Case No.-453 Year-2023 Thana- FATEHPUR District- Gaya

ANIL YADAV SON OF LATE AMRIT YADAV RESIDENT OF VILLAGE-
DHARHARA KHURD, PS- FATEHPUR, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deep Nishi, Advocate

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 30-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection
with Fatehpur P.S. Case No.453 of 2023 dated 22.06.2023
registered for the offence/s punishable under Section/s 30(a) of
Bihar Prohibition and Excise Act.
3. The main submissions advanced by the
learned counsel for the petitioner are that the instant matter
relates to recovery of 100 litres of country-made liquor kept on
a motorcycle, but in fact the petitioner had no connection to the
seized motorcycle and he was not aware of the same and he was
caught on suspicion when he was passing nearby the place of
occurrence. Further submissions are that though against the
petitioner, there are criminal antecedent of two cases but he has



got bail in both the cases and in the present matter he has been languishing in jail since 24.06.2023 and witnesses of the seizure are police personnel.

4. Learned APP appearing for the State opposes the bail prayer and submitted that against the petitioner the investigation has been completed.

5. Considering the above submissions and mainly the fact that the main witnesses of the seizure are police personnel who are to be examined in the trial of the petitioner and against the petitioner the investigation has been completed, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be released **on bail after framing of charge** in connection with Fatehpur P.S. Case No.453 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

6. The Trial Court is directed to take steps to frame the charge/s upon the petitioner as early as possible.

(Shailendra Singh, J)

sangam/-

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

