

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55878 of 2023

Arising Out of PS. Case No.-277 Year-2016 Thana- HISUWA District- Nawada

RAJESH YADAV @ RAJESH KUMAR YADAV son of Ram Chandra Yadav
Village- House No-248, Rajpura Ps- Tilaiya Dist- Koderma Jharkhand Ps-
Kotwali Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-08-2023 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 and 414 of I.P.C.

3. As per FIR, prosecution case relates to recovery of total 288 liters of illicit foreign liquor from a truck and the petitioner is alleged to have indulged in trade of illicit liquor.

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 rather his name transpired in this case on the basis of confessional statement of co-accused Manoj Yadav. Petitioner



has no concern with the alleged recovery of illicit liquor or with the vehicle in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Similarly situated other co-accused persons have already been granted bail by different co-ordinate Bench of this Court which is evident from Annexure-2 series. The petitioner is languishing in judicial custody since 6.7.2023.

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 as well as custody period 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 Hisua P.S. Case No. 277 of 2016 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 Judge, Excise 1st, Nawada.

(Sunil Kumar Panwar, J)

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