

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62722 of 2022**

Arising Out of PS. Case No.-23 Year-2020 Thana- SALAIYA District- Aurangabad

Kamlesh Yadav S/O Late Dharamdeo Yadav R/O Village- Sonar Chak, P.S.-
Salaiya, District- Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Rathour
For the Opposite Party/s : Mr.Sangeeta Sharma

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 22-03-2023 Heard learned counsel for the petitioner and
learned APP for the State.

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

Prosecution case relates to recovery of 30 litres of illicit liquor from an open place.

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 the present case merely on the basis of suspicion. He has no concern with the alleged recovery or with the place of occurrence. There is no independent witness of the alleged



seizure list. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 18.04.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise 1st, Aurangabad in connection with Salaiya P.S. Case No. 23 of 2020.

(Sunil Kumar Panwar, J)

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