

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58121 of 2023

Arising Out of PS. Case No.-378 Year-2023 Thana- SHERGHATI District- Gaya

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YOGESH KUMAR @ JUGESH KUMAR son of Bhola Yadav Village-
Palhad Kurd Ps- Sherghati Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 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 sections 30(a)(c) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of 30 liters of illicit country made liquor from a motorcycle bearing Reg. No. BR02V-05860 and the petitioner is alleged to have fled away from the place of occurrence.

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 or with the vehicle in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 19.7.2023.

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 Sherghati P.S. Case No. 378 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 Additional District and Sessions Judge-cum-Exclusive Special Judge Court No.2, Gaya.

(Sunil Kumar Panwar, J)

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