

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62838 of 2023

Arising Out of PS. Case No.-602 Year-2020 Thana- NAWADA District- Nawada

Shailendra Yadav @ Shailendra Kumar @ Shailendra Kumar Yadav @ Shalo
Yadav Son Of Lakhan Yadav Resident Of Village - Chilaungiya, P.S. -
Nawada, Distt. - Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-09-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a
case instituted for the offence under Sections 30(a),
30(d), 30(f), 33, 41 and 52 of the Bihar Prohibition and
Excise Act.

As per prosecution case, there has been
recovery of 5000 liters of spirit from a Truck.

It is submitted by learned counsel for the
petitioner that petitioner has been falsely implicated in
this case. He has committed no offence. Petitioner is not



named in the FIR. The name of the petitioner has come into light on the basis of confessional statement of co-accused Bipin Kumar @ Kamlesh Kumar. He submitted that the petitioner has no concern either with the seized vehicle or with the spirit in question. He submitted that co-accused namely, Arbind Yadav, who is the owner of the said truck has already been granted bail by a Co-ordinate Bench vide order dated 16.05.2022 passed in Cr. Misc. No. 58962 of 2021 and its analogous case. The petitioner has been remanded in the present case on 07.06.2023 and since then he is in custody.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of 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 Exclusive Special Excise Judge, 1st,
Nawada in connection with Nawada P.S. Case No. 602 of
2020.

(Sunil Kumar Panwar, J)

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