

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60236 of 2023

Arising Out of PS. Case No.-321 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

MANTOSH KUMAR YADAV Son of Sitaram Yadav R/o vill - Dhamar, P.S. -
Ara (Mufasil), Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 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 section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of total 240 liters of illicit country made liquor from open field near power grid and the petitioner is alleged to have apprehended on spot.

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. The alleged recovery has been made from an open place and the petitioner has no concern with the recovery of



illicit liquor or with the place of occurrence. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 23.7.2023.

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 Ara (Muffasil) P.S. Case No. 321 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 Exclusive Special Excise Court No.1, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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