

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62678 of 2023

Arising Out of PS. Case No.-239 Year-2022 Thana- THARTHARI District- Nalanda

SHYAM KISHOR YADAV Son of Kara Yadav R/o vill - Atbal Chak, P.S. -
Tharthari, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

As per prosecution case, it is a case of recovery of total 10 liter illegal liquor from an open place.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner was apprehended on the spot nor place of recovery belongs to him. It is further submitted that nothing has been recovered from his conscious possession. The seizure list has not been prepared as per provision of law. Moreover, the petitioner is languishing in



judicial custody since 10.06.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody 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 Tharthari P.S. Case No. 239 of 2022 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-IV-cum Special Excise Judge-II, Nalanda at Biharsharif.

(Sunil Kumar Panwar, J)

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