

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57664 of 2022**

Arising Out of PS. Case No.-108 Year-2022 Thana- BISHWAMBHARPUR District-
Gopalganj

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PRADEEP KUMAR @ PRADEEP YADAV Son of Ghosh Yadav R/V-
Gamhariya, P.s- yadipur (Jadipur) Dist- Gopalganj At present resident of
Maniyara Farm, P.s- Kuchaikote, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 10-01-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection
with Bishambharpur PS case no. 108 of 2022 instituted for the
offences punishable under Sections 414, 467, 468/34 of the
Indian Penal Code and Sections 30(a), 41(i) of Bihar
Prohibition and Excise Act, 2016 (as amendment upto date).

The allegation is regarding recovery of 656.640
liters of illicit liquor from the dickey of a Scorpio car and the
petitioner was arrested from the said car.

The learned counsel for the petitioner submits
that the petitioner is innocent, has been falsely implicated in



the present case and he is languishing in custody since 02.07.2022. The learned counsel for the petitioner has further submitted that only after the petitioner was arrested in the present case, he has been made accused in one another criminal case pertaining to theft of the Scorpio vehicle in question, however, he has not been remanded in the said case till date. It is also submitted that the co-accused person who was arrested from the spot, has already been granted bail by a co-ordinate Bench of this Court vide order dated 30.11.2022, passed in Cr. Misc. no. 58244 of 2022.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a co-ordinate Bench of this Court, I deem it fit and appropriate to enlarge the petitioner on bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Sessions
Judge-IV-cum-Exclusive Special Excise Court II, Gopalganj
in connection with Bishambharpur PS case no. 108 of 2022.

(Mohit Kumar Shah, J)

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