

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71128 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

Gunjan Yadav Son Of Bhanji Yadav Resident Of Village- Saraiya, Ps-
Durgawati, District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashikant, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Durgawati P.S. Case No. 217 of 2022 registered on 19.07.2022 for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, on receipt of secret information, about unloading of illicit liquor from a truck, a raid was conducted at the identified place and recovery of total 3899.160 liters of India made foreign liquor was made from a closed rice mill campus and a truck standing in the premises.

4. The learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner and his name surfaced on the basis of confessional statement of co-accused Ranjan Yadav and Pramod Yadav. Petitioner has no concern with the truck or any of the motorcycle or liquor seized. The petitioner is in custody since 27.01.2023 and charge-sheet has been submitted. Learned counsel further submits that petitioner is accused in two criminal cases and he is on bail in both the cases.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that huge quantity of liquor and found involve in smuggling of illicit liquor.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and nothing incriminating has been recovered from his possession and further considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.- VII, Kaimur, Bhabhua



in connection with Durgawati P.S. Case No. 217 of 2022,
subject to the conditions mentioned in Section 437(3)
of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the
petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or
in violation of the terms of the bail, the bail bond
of the petitioner will be liable to be cancelled by
the court concerned.

(Arun Kumar Jha, J)

annpurna/-

U		T	
---	--	---	--

