

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63609 of 2023

Arising Out of PS. Case No.-266 Year-2023 Thana- MADANPUR District- Aurangabad

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SURAJ YADAV @ RUDRA @ SURAJ KUMAR SON OF SUNIL YADAV
RESIDENT OF VILLAGE- LAMAR, PO- DANGWAR, PS-
HUSSAINABAD, DISTT- PALAMU, JHARKHAND

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Narayan

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 30(a)/34/36 of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
385 liters of sprit from a Bolero bearing Registration No. BR2E-
9203.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot.
The name of the petitioner has come into light on the basis of
confessional statement of co-accused, who apprehended on spot,



which has got no evidentiary value in the eyes of law. He submitted that the petitioner has no concern either with the seized vehicle or with the sprit in question. No incriminating article has been recovered from the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C. has not been followed in this case. He is languishing in judicial custody since 07.08.2023.

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

6. 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 Special Judge Excise-I, Aurangabad in connection with Madanpur P.S. Case No. 266 of 2023.

(Sunil Kumar Panwar, J)

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