

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62551 of 2023

Arising Out of PS. Case No.-273 Year-2023 Thana- BARHARA District- Bhojpur

INDAL KUMAR @ INDAL KUMAR RAY SON OF LATE KUSHAN
YADAV RESIDENT OF VILLAGE - GUNDI, P.S. - BARHARA
(KRISHNAGARH O.P.), DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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.

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

3. As per prosecution case, there has been recovery of
total 60 liters of illegal country-made Mahua from the sack near
a Temple.

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 Garjan Yadav, which has



got no evidentiary value in the eyes of law. No incriminating article has been recovered from the conscious possession of the petitioner. On the basis of suspicion, petitioner has been implicated in the present case. He is languishing in judicial custody since 05.08.2023.

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 Court below in connection with Barhara P.S. Case No. 273 of 2023.

(Sunil Kumar Panwar, J)

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