

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63623 of 2023**

Arising Out of PS. Case No.-367 Year-2022 Thana- UCHKAGAON District- Gopalganj

Durgesh Kumar Yadav Son Of Rajendra Yadav @ Rajendra Chaudhari
Resident Of Village - Kawahi, P.S. - Uchkagaon, District - Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adesh Raj
For the Opposite Party/s : Mr.Shaheen Begum

**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 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. According to the FIR, 369 liters illicit liquor is said to have been recovered from bush and the name of the petitioner was disclosed by gathered people at the place of occurrence.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case on the basis of disclosure of local people. Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. Neither he was arrested on spot nor any



incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 17.6.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Uchakagaon P.S. Case No. 367 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 Sessions Judge-II-cum-Special Judge, Excise-I, Gopalganj.

(Sunil Kumar Panwar, J)

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