

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64113 of 2023**

Arising Out of PS. Case No.-247 Year-2023 Thana- TARAIYA District- Saran

Yogendra Singh Son Of Shiwali Singh Resident Of Village -RAJATOLA,  
Post Office And Police Station- Khusrupur, District -PATNA

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pushpendra Priyedarshi

For the Opposite Party/s : Mr.Ram Naresh Ray

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      06-12-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273 of Indian Penal Code and Sections 30(a), 32(1)(2) (3), 33, 38, 41(2) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 300 litres of Spirit from a tempo bearing Reg. No. BR-01GG-1823. Petitioner is alleged to be the driver of aforesaid Tempo.

It is submitted by learned counsel for the



petitioner that petitioner has falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. He has no concern in any manner from the alleged recovered spirit. Moreover, petitioner is languishing in judicial custody since 03.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing on behalf of State vehemently opposed the prayer of bail and submitted that petitioner was driver of the tempo from which huge amount of spirit has been recovered.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 2<sup>nd</sup> Exclusive Special Excise Judge, Saran, Chapra in connection with Taraiya



P.S. Case No. 247 of 2023.

The petitioner is directed to deposit a sum of  
Rs. 10,000/-(Rupees Ten Thousands) in the concerned  
District Legal Services Authority.

The bail bond of the petitioner shall be  
accepted by the learned Court below on showing receipt  
of deposit of Rs. 10,000/-(Rupees Ten Thousands) in  
District Legal Services Authority of concerned District.

**(Sunil Kumar Panwar, J)**

Nirajkrs/-

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