

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65097 of 2023**

Arising Out of PS. Case No.-199 Year-2022 Thana- THARTHARI District- Nalanda

SHYAM BIHARI @ SHYAM KISHOR YADAV Son of Kara Yadav Resident
of Village-Atbal Chak (Paltu Bigha), Police Station-Tharthari, District-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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

2 12-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. As per allegation in the F.I.R., it is a case of
recovery of 10 liters country made liquor from the bag of co-
accused.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in the present case
and the name of the petitioner came into light by the
confessional statement of the co-accused namely Rajeev Kumar
Ranjan in the police custody, which does not stands any



evidentiary value. Learned counsel for the petitioner further submits that petitioner was not apprehended from the spot nor any recovery was made from his conscious possession. Petitioner is languishing in judicial custody since 17.06.2023.

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, 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/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-IV-cum-Special Excise Judge-II, Nalanda at Biharsharif, in connection with Tharthari P.S. Case No. 199 of 2022.

(Sunil Kumar Panwar, J)

Adnan/Guddu

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