

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65839 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- MADHUBANI TOWN District-
Madhubani

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DILIP YADAV Son of Ramsogarath Yadav @ Ramswarth Yadav R/o vill -
Sapta, P.S. - Rahika, Dist. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 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. As per FIR, prosecution case relates to recovery of
total 156 liters of illicit liquor from a Scorpio and the petitioner
is alleged to have fled away from 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 co-accused person who
was apprehended on spot. Petitioner has no concern with the



alleged recovery of illicit liquor or with the vehicle in question. Neither the petitioner was apprehended on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 18.8.2023. Similarly situated co-accused Manish Kumar was already enlarged on bail vide order dt. 30.8.2023 passed in Cr. Misc. No. 56699 of 2023.

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

6. 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 Town P.S. Case No. 243 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

(Sunil Kumar Panwar, J)

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