

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65105 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- MIRGANJ District- Gopalganj

RAKESH YADAV son of Sudama Yadav Village- Nerue Ps- Mirganj Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

2. The petitioner has prayed for bail in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per allegation in the F.I.R., it is the case of recovery of total 81.00 liters of country made liquor from the motorcycle which was being driven by the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case on the basis of mere suspicion. It is further submitted that nothing has been recovered from the conscious possession of the petitioner and he has no concern with the seized motorcycle. Petitioner is



languishing in judicial custody since 21.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Petitioner is directed to deposit Rs. 10,000/- (Rs. Ten thousand only) in the concerned DLSA.

7. 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 and Sessions Judge-IV-cum-Special Excise Court No. II, Gopalganj, in connection with Mirganj P.S. Case No. 142 of 2023.

8. The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 10,000/- (Ten Thousand only) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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