

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69341 of 2022

Arising Out of PS. Case No.-124 Year-2022 Thana- PIRI BAZAR District- Lakhisarai

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FULCHAN YADAV @ FULCHAND YADAV SON OF RAMDAS PRASAD
R/O POKHARIYA, P.S.- LADAIYA TAND, DISTRICT- MUNGER
(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Piribazar P.S. Case No. 124 of 2022, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 40 litres of illicit Mahua liquor from one Manoj Saw, 50 litres of illicit Mahua liquor from one Mahesh Yadav and 40 litres of illicit liquor from the pond situated near the house of the petitioner.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 27.08.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in three other cases but he is on bail in the said cases. The learned counsel for the petitioner has also submitted that the illicit Mahua liquor has not been recovered from the conscious possession of the petitioner and the pond in question does not belong to the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.



Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Fourth-cum-Exclusive Special Excise Court-1, Lakhisarai in connection with Piribazar P.S. Case No. 124 of 2022.

(Mohit Kumar Shah, J)

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