

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70934 of 2022**

Arising Out of PS. Case No.-437 Year-2022 Thana- GOPALPUR District- Bhagalpur

NAVEEN YADAV @ Navin Yadav Son of Ramawatar Yadav Resident of
Village - Latra, P.S.- Gopalpur, District – Bhagalpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Singh, Advocate
For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

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

The petitioner seeks regular bail in connection with Gopalpur PS case no. 437 of 2022 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 419.220 liters of illicit foreign liquor from a pick-up van and the petitioner is one of the co-accused person who has been identified to be the one, who had fled away.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 10.09.2022. The learned counsel for the petitioner has further submitted that neither the petitioner is the owner of the pick-up van in question



nor he has been arrested from the spot nor any illicit liquor has been recovered from his conscious possession.

Per contra, the learned APP 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 parties and taking into account the materials available on record as also considering the fact that neither the petitioner is the owner of the pick-up van nor he has been arrested from the spot nor any illicit liquor has been recovered from his conscious possession. I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge, Excise, Bhagalpur in connection with Gopalpur PS case no. 437 of 2022.

(Mohit Kumar Shah, J)

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