

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69317 of 2022

Arising Out of PS. Case No.-293 Year-2022 Thana- DIDARGANJ District- Patna

RAJENDRA PRASAD YADAV Son of Late Mallik Singh R/V- Madhopur,
P.S- Didarganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmeshwar Vishwakarma, Adv.
For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Didarganj P.S. Case No. 293 of 2022, registered for the offence punishable under Sections 30(a)/36 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 70 liters of illicit liquor from a Barmutta drain situated near the Punpun river.

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 3.11.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in two other cases, but he is on bail in both the said cases. It is also submitted that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the place from where the same has been recovered belongs to the petitioner.

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 petitioner and taking into account the materials available on record as also considering the fact that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the place from where the same has been recovered belongs to the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.



Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City (Patna) in connection with Didarganj P.S. Case No. 293 of 2022.

(Mohit Kumar Shah, J)

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