

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74574 of 2023

Arising Out of PS. Case No.-143 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

Akash Yadav @ Akash Kumar S/O Om Prakash Yadav R/O Village- Khem
Matihania, P.S- Bishambharpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 81 liter of country made liquor from a motorcycle bearing Reg. No. BR Y9092 and co-accused Umesh Kumar apprehended on the spot who disclosed the name of petitioner and other accused persons as of his associates.

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



case. He has no concern with the alleged recovery of liquor or with the vehicle in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 05.08.2023.

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

6. 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/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV-cum-Special Excise Court No.II, Gopalganj in connection with Vishambharpur P.S. Case No. 143 of 2023.

(Sunil Kumar Panwar, J)

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