

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78891 of 2023

Arising Out of PS. Case No.-387 Year-2023 Thana- GARDANIBAG District- Patna

JASMIR YADAV @ JASVEER YADAV Son of Jay Shyam Ray @ Jayjan
Ray R/o Saristabad, P.S.- Gardanibagh, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd. Singh

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 30(a) and 34 of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
360 liters of illegal country-made distilled liquor near a *Khatal*.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
The name of the petitioner has come into light on the basis of
disclosure by local villagers, which has got no evidentiary value
in the eyes of law. He submitted that the petitioner has no
concern with the seized wine in question and the place of



occurrence does not belongs to the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 09.09.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Special Judge-Excise 1st, Patna in connection with Gardanibagh P.S. Case No. 387 of 2023.

(Sunil Kumar Panwar, J)

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