

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72359 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- FULKAHA District- Araria

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AMAN YADAV @ KUSWA SON OF LATE KULANAND YADAV R/O
VILL.- MILKI DUMARIYA WARD NO. 08, P.S.- FULKAHA, DISTT.-
ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a), 41 (i) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 567 litres of
nepali liquor from TATA Safari and one accused, namely Kari
Kumar was apprehended on spot who disclosed the name of the
petitioner, as the driver of the vehicle, who managed to escape.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery. The name
of the petitioner has been disclosed in this case by the



apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 23.08.2022.

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

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 Exclusive Special Judge, Excise 2nd, Araria in connection with Fulkaha P.S. Case No. 85 of 2022.

(Sunil Kumar Panwar, J)

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