

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73446 of 2022**

Arising Out of PS. Case No.-413 Year-2022 Thana- DAUDNAGAR District- Aurangabad

MANOJ YADAV @ MANOJ KUMAR Son of Virendra Yadav R/V- Belhari,
P.S- Daudnagar, Dist- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Leelawati Kumari, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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

2 10-02-2023 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Daudnagar PS case no. 413 of 2022 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 431 liters of illicit liquor from the house of the petitioner.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 01.12.2022. The learned counsel for the petitioner has further submitted that the petitioner has not been arrested from the spot and the fact is that the house in question



is in joint possession of the petitioner and his family members, hence, the petitioner cannot be singled out for the alleged offence.

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 period of incarceration of the petitioner herein, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the above named 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 II, Aurangabad (Bihar) in connection with Daudnagar PS case no. 413 of 2022.

(Mohit Kumar Shah, J)

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