

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75698 of 2023

Arising Out of PS. Case No.-941 Year-2023 Thana- Excise P.S. District- West Champaran

Lal Bahadur Yadav Son Of Jagan Yadav R/O Of Village- Shivrajpur, P.S.-
Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.Kanhaiya Kishore (App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 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 Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
54 liters of illegal country-made liquor from the bag of the
petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern with the seized wine in question. The provision of
Section 100 of the Cr.P.C. has not been followed in this case. No
incriminating article has been recovered from the conscious



possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 17.09.2023.

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 Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Excise P.S. Case No. 941 of 2023.

(Sunil Kumar Panwar, J)

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