

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74101 of 2022

Arising Out of PS. Case No.-121 Year-2022 Thana- JALE District- Darbhanga

AMRESH YADAV Son of Raj Dev Yadav R/V- Bhamarpura, P.S- Jalley, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Ajit Kumar

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 Jalley P.S. Case No. 121/2022, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 214.920 liters of illicit liquor from the house of one Bhuvan Yadav and the local chaukidar had subsequently disclosed that the petitioner is also having complicity in the matter.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 12.11.2022. The learned counsel for the petitioner has further submitted that merely because the petitioner is an accused in three other similar type of cases, he has been made an accused in the present case, however, admittedly, neither the petitioner has been arrested from the spot nor any illicit liquor has been recovered from his conscious possession.

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 petitioner and taking into account the materials available on record as also considering the fact that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the house from where the illicit liquor has been recovered belongs to the petitioner, I deem



it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-1 (Excise Act), Darbhanga in connection with Jalley P.S. Case No. 121 of 2022.

(Mohit Kumar Shah, J)

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