

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16013 of 2024**

Arising Out of PS. Case No.-56 Year-2024 Thana- Excise P.S. District- Aurangabad

Naresh Yadav Son of Judagir Yadav R/o Village- Bhoja Bigha, P.S.- Muffasil,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar Singh, Adv.
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 56 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police has recovered
total 155.52 liter illegal foreign liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner has no concern with the seized liquor. There is
one criminal appeal being Cr. Appeal (SJ) No. 5003 of 2023 is
pending before this Court in which the petitioner has been



convicted by the trial court. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 23.01.2024. Charge-sheet has been submitted in this case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 56 of 2024.

(Rudra Prakash Mishra, J)

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