

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16532 of 2024**

Arising Out of PS. Case No.-257 Year-2023 Thana- DIDARGANJ District- Patna

Yamuna Yadav@ Yamuna Singh @ Jamuna Yadav @ Jamuna Singh SON OF
Late Narayan Singh @ Late Tek Narayan Yadav Village -Madhopur PS
-Didarganj District -Patna

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmeshwar Vishwakarma, Adv.
For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Didarganj P.S. Case No. 257 of 2023 dated 06.08.2023 registered for the offences punishable u/ss 30(a) and 36 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 50 litres of illicit mahua liquor along with a motorcycle was recovered near the bridge of Madhopur.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Rohit Kumar. The petitioner is not the owner of the said vehicle and the same was not being driven by the petitioner at the time of the alleged recovery. The petitioner has



no concern with the alleged recovery rather the recovery has been made from an open place which is accessible to anyone. Nothing has been recovered from the conscious possession of the petitioner, hence no case made out. The co-accused person has already been granted anticipatory bail by this court vide order dated 06.10.2023 passed in Cr. Misc. No. 63056 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 31.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City in connection with Didarganj P.S. Case No. 257 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

