

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18761 of 2024

Arising Out of PS. Case No.-196 Year-2023 Thana- MAKER District- Saran

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YASHWANT SINGH @ YASHWANT KUMAR SINGH SON OF LATE
RAMNARESH SINGH R/O-POORE CHAPRA (PURE CHAPRA), P.S.-
PARSA, DISTT.-SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mrs. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act.

3. 2065 liters of spirit is said to have been recovered
from a tractor. The petitioner has been made accused in this case
on the confessional statement of co-accused, Biru Kumar Singh.

4. It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has no
concern with the seized spirit. The petitioner is neither the
owner nor the driver of the said tractor rather he has been made
accused in this case on the confessional statement of co-accused



which has no evidentiary value in the eye of law. No incriminating article has been recovered from the conscious physical possession of the petitioner. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The alleged place of recovery of tractor in question loaded with spirit being the road in the village Poore Chapra, Chainpur does not belong to the petitioner. Petitioner has no criminal antecedent and has been languishing in custody since 05.01.2024.

5. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code : CBIN0282779 (fifth character is zero), MICR Code : 800016018.

6. Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Maker P.S. Case No. 196 of 2023.

7. The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of deposit of the
aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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