

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20295 of 2024

Arising Out of PS. Case No.-546 Year-2023 Thana- AKBARPUR District- Nawada

Pannu Yadav @ Panu Yadav, aged about 32 years, Male, S/O- Chalitra Yadav,
R/O- Lohsinghana, P.S.- Akbarpur, Dist.- Nawada.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sudhanshu Kumar, Advocate
For the Opposite Party : Mrs. Veena Kumari Jaiswal, A.P.P.

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

ORAL ORDER

3 27-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is languishing in custody since 09.12.2023 in connection with Akbarpur P.S. Case No. 546 of 2023 dated 03.12.2023 registered for the offences punishable under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 217 litres of illicit country made mahua liquor and 1 litre Jawa Mahua were recovered from the forest of Kolwa Pahadi.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner has sprung up in the



present case merely on the basis of suspicion. It is further submitted that the petitioner has no concern with the alleged recovery rather the recovery has been made from an open place which is accessible to anyone. No incriminating article has been recovered from the conscious possession of the petitioner. Hence, no case under the Excise Act is made out against the petitioner. There is no compliance of Section 100 of the Cr.P.C. The petitioner is in jail custody since 09.12.2023. The petitioner has four criminal antecedents as stated in paragraph no. 3 of the bail application. It is further submitted that other co-accused person has been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 12728 of 2024 under order dated 29.02.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Nawada, in connection with Akbarpur P.S. Case No. 546 of 2023.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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