

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20988 of 2024**

Arising Out of PS. Case No.-22 Year-2024 Thana- HATHUA District- Gopalganj

Aatindra Yadav Son of Jayprakash Yadav Resident of Village- Hata Kodara,  
Ps- Mirganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Deepankar Raj, Adv

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2      19-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Hathua  
P.S. Case No. 22 of 2024 dated 13.02.2024 instituted for the  
offences under Section 30 (a) of the Bihar Prohibition and  
Excise Act.

3. The prosecution case, in short, is that 63.00 liters  
liquor was recovered from the gunny bag which was kept on the  
motorcycle.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. Charge-sheet has been submitted in this Case. No  
incriminating material has been recovered from the conscious



possession of the petitioner. The name of the petitioner has transpired in this case only on the basis of the confessional statement of the apprehended person. The petitioner is not the owner of the said vehicle and the same was not being driven by the petitioner at the time of alleged recovery. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 14.02.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Gopalganj, in connection with Hathua P.S. Case No. 22 of 2024.

**(Rudra Prakash Mishra, J)**

Jyoti/  
Raj Kishore/-

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