

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30995 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- GOPALPUR District- Gopalganj

Mukesh Yadav Son of Surendra Yadav Resident of Village- Muda, P.S.- Siwan
Muffasil, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amritesh Kr. Singh with
Mr. Syed Ashgar Nazmi, Advocates.
For the Opposite Party/s : Ms. Shaheen Begum, APP

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gopalpur P.S. Case No. 39 of 2024 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, there has been recovery of
302.400 liters of illegal foreign liquor from a pick-up, which
was being driven by the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner has no concern either with the seized vehicle or with
the alleged recovery of liquor. No incriminating article has been



recovered from the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C. has not been followed in this case. On the basis of suspicion, petitioner has been implicated in the present case. The petitioner is in custody since 22.02.2024 and has no criminal antecedent.

5. Learned APP 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 as well as 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 Court in connection with Gopalpur P.S. Case No. 39 of 2024.

(Rudra Prakash Mishra, J)

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