

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37070 of 2024

Arising Out of PS. Case No.-153 Year-2024 Thana- BRAHMPUR District- Buxar

Rahul Yadav @ Phagu Yadav Son of Janardan Yadav Resident of Village -
Badki Nainijor, Prabodhpur Dera, P.O.- Nainijor, P.S.- Brahmpur (Nainijor),
District - Buxar, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Mishra
For the Opposite Party/s : Mr.Bharat Lal

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

ORAL ORDER

2 15-05-2024 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 Brahmpur (Nainijor)
P.S. Case No. 153 of 2024 dated 22.03.2024 registered for the
offences punishable u/s 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, total 51.84 litres of
illicit foreign liquor was recovered from the bush near the bank
of the river, Ganga.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The said recovery was made from an open place that is



accessible to anyone. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.03.2024.

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, Buxar in connection with Brahmpur (Nainijor) P.S. Case No. 153 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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