

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40379 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- MAIGRA District- Gaya

Subhash Kumar Yadav @ Subhash Kumar, (M), aged about 28 years, son of
Sukhi Yadav, resident of village- Chauritand, PS.-Chhakarbanda, Dist Gaya
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 26-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Maigra
PS Case No.33 of 2024 dated 16.04.2014, instituted for the
offence punishable under Sections 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2018.

3. Allegation is of recovery of 85 litres of country
made wine kept in bags from *Fasi Aahi Aahar*. The petitioner
was caught at the spot while fleeing away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The petitioner was grazing his buffalo in the field and due
to misunderstanding the police arrested the petitioner. He has no
concern with the recovered wine or with the *Aahar*. Nothing



incriminating has been recovered either from the possession of the petitioner or from the house of the petitioner. Charge-sheet has been submitted in the case. Petitioner is in custody since 16.04.2022 having no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Exclusive Excise Court No.3, Gaya, in Maigra PS Case No.33 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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