

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41668 of 2024

Arising Out of PS. Case No.-152 Year-2024 Thana- BRAHMPUR District- Buxar

Sanjay Yadav son of Vijay Yadav Village- Sapahi Ps- Brahampur Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Adv

For the Opposite Party/s : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 18-07-2024 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 Buxar Brahampur P.S Case No. 152 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, 32.04 litres of illicit liquor was recovered from the three different motorcycles and from the possession of the co-accused *Sanjay Yadav*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner nor the driver of the said vehicles. Similarly situated co-accused has already been



granted bail by the co-ordinate bench of this court *vide* order dated 07.05.2024 passed in Cr. Misc. No. 34597 of 2024. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has one criminal 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 Buxar Brahampur P.S Case No. 152 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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