

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43199 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- DHANAHAN District- West Champaran

Naresh Prasad Yadav, aged about 30 years, Male, S/O Ayodhya Prasad Yadav
R/O Village- Koiri Gaava, P.S.- Kotwa, Distt- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shashank Shekhar, Advocate
For the Opposite Party : Mr. Atul Chandra, A.P.P.

**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 Dhanaha P.S. Case No. 51 of 2024 dated 13.03.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1123 litres of illicit foreign liquor was recovered from the Pick-up vehicle which was being driven by the co-accused.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in this case during the course of



investigation. The petitioner is neither the owner nor the driver of the said vehicle and he has no concern with the alleged recovery. The co-accused person has already been granted regular bail by this Court vide order dated 07.05.2024 passed in Criminal Miscellaneous No. 34440 of 2024. 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 07.05.2024.

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, Bagaha, West Champaran in connection with Dhanaha P.S. Case No. 51 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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