

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44522 of 2024

Arising Out of PS. Case No.-136 Year-2024 Thana- PALASI District- Araria

Dilip Yadav @ Dilip Kumar Yadav Son of Thakkan Lal Yadav @ Thakan Lal Yadav R/O Village Belwari, Ward No 14, Police Station- Palasi, District- Araria, (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddhi Aashana, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Palasi P.S. case No. 136 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 173.970 liters liquor was recovered from the car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the name of the petitioner has transpired on the basis of disclosure made by local villagers. The car in



question does not belong to the petitioner. The petitioner has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 05.05.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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 and 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 Palasi P.S. case No. 136 of 2024.

(Rudra Prakash Mishra, J)

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