

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49443 of 2024

Arising Out of PS. Case No.-185 Year-2024 Thana- Excise P.S. District- Buxar

Manu Kumar Yadav S/o Sri Harendra Yadav @ Harendra Singh R/o vill -
Majhaiya, P.S. - Buxar (Ind.), Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma

For the Opposite Party/s : Mrs.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 34.560 liters of foreign liquor from a plastic bag.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted from para-7 of this petition that the petitioner is neither the owner nor the driver of the said vehicle and he took lift from the bike rider and only for that reason, he made accused in this case by the police. Nothing has been recovered from the conscious



possession of the petitioner and also he has no concern with the alleged liquor. There is no independent witness of the seizure list rather they are police personnel. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 09.05.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6.Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise(Buxar) P.S. Case No. 185 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No-2, Buxar.

(Sunil Kumar Panwar, J)

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