

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51973 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- UCHKAGAON District- Gopalganj

Mukul Yadav Son Of Hareesh Yadav Resident Of Village - Balasera Bhagwan
Tola, P.S. - Uchakagaon, District - Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 414/34 of the Indian Penal Code and Sections 30(a), 30(b) of the Bihar Prohibition and Excise Amendment Act 2022.

The learned counsel for the petitioner submits that petitioner has antecedent of eight cases and allegation is of recovery of 352.800 liters of liquor from a Scorpio vehicle.

It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated at the instance of *Chowkidar*. It is next submitted that police in majority of the case implicates either at the instance of *Chowkidar*, local people, secret information or confessional statement in a



mechanical manner without holding a proper investigation. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically in order to save the real culprits. It is also submitted that petitioner is in judicial custody since 01.05.2024.

The learned APP for the State opposes the bail application of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000 /- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court of Additional District and Session Judge-XIII-cum- Special Judge Excise-1, Goplaganj in connection with Uchakagaon P.S. Case No. 77 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

Sudhanshu/-

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