

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54617 of 2024

Arising Out of PS. Case No.-436 Year-2024 Thana- Excise P.S. District- Gopalganj

AJAY YADAV S/O SRI NATHUNEE YADAV R/O VILLAGE- SALEHPUR,
P.S- VISHAMBHARPUR, DISTT.- GOPALGANJ.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Yadav, Adv
For the Opposite Party/s : Mr. Akbar Ali, APP

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

ORAL ORDER

2 30-07-2024 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 Excise P.S. Case No. 436 of 2024 dated 11.05.2024 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 40.140 litres of illicit foreign liquor was recovered *from the bag which was hidden under the sugarcane leaf.*

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired on the basis of confessional statement of *Ramdeo Yadav*. The petitioner has



no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has six antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 12.05.2024.

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 nature of allegation levelled against the petitioner and 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, Gopalganj in connection with Excise P.S. Case No. 436 of 2024, with further condition/s:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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