

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55453 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- GUTHANI District- Siwan

KAMAL KUMAR YADAV S/O SURESH YADAV R/O VILLAGE-
BAHELIYA, P.S- GUTHANI, DISTT.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Shahi, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 05-08-2024 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 Guthani P.S. Case No. 163 of 2024 dated 25.06.2024 registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 162 litres of illicit country made liquor were recovered from three different motorcycles.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner was apprehended on the spot who disclosed the name of the co-accused persons namely, Bholu Yadav and Rohit Yadav. The petitioner is not the owner of the said motorcycle. The petitioner has no concern with the alleged motorcycle. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.06.2024.

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, Siwan in connection with Guthani P.S. Case No. 163 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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