

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75019 of 2024

Arising Out of PS. Case No.-1 Year-2019 Thana- THAWE District- Gopalganj

Pramod Yadav Son of Dhruv Yadav Resident of Village- Chaupthia, P.S
-Khusinagar, District -Tarya (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2024 1. Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Thawe Case No. 01 of 2019, registered for the offence punishable under Sections 30(a), 35 and 38 of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is regarding recovery of 192 litres of illicit liquor from a Bolero vehicle.

4. The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 11.09.2024. The learned counsel for the petitioner has further submitted that neither the illicit liquor belongs to the petitioner nor the vehicle in question belongs to the petitioner,



apart from the fact that no illicit liquor has been recovered from the conscious possession of the petitioner. It is next submitted that the name of the petitioner has transpired in the present case, upon the confessional statement made by the co-accused person, namely Jitendra Yadav, who has already been granted the privilege of regular bail by this Court, vide order dated 19.02.2019, passed in Cr. Misc. No.9513 of 2019.

5. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that neither the illicit liquor has been recovered from the petitioner nor the vehicle in question belongs to the petitioner, apart from the fact that the person on whose confessional statement, the name of the petitioner has transpired in the present case, has already been granted the privilege of regular bail by this Court, vide order dated 19.02.2019, passed in Cr. Misc. No.9513 of 2019, hence I deem it fit and proper to admit the petitioner to the privilege of regular bail.

7. Accordingly, the petitioner, above named, is



directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount to the satisfaction of Ld. Additional District and Sessions Judge-XII-cum- Special Judge, Excise-I, Gopalganj, in connection with Thawe P.S. Case No. 01 of 2019.

(Mohit Kumar Shah, J)

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