

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81690 of 2024

Arising Out of PS. Case No.-349 Year-2023 Thana- KOTWA District- East Champaran

Suraj Kumar Yadav S/o Upendra Yadav Resident of village - Chaubetola
Ahirauliya, P.S. - Kotwa (Bhopatpur), Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Adv.
		Mr. Hemant Ray, Adv.
For the Opposite Party/s :		Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-12-2024 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 Kotwa (Bhopatpur) P.S. Case No. 349 of 2023 dated 06.10.2023 registered for the offences punishable u/ss 147, 148, 149, 341, 323, 332, 333, 353, 427, 504, 506 of the Indian Penal Code and u/ss 30(a), 32, 41(1), 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 241.920 litres of illicit foreign liquor was recovered near the stairs from the house of the petitioner. In front of the house, illicit liquor and bear were recovered from a car, illicit liquor of 180 ml was recovered from the two motorcycles. The counting of the bottles were yet to be



done. In the meanwhile, 18-20 people came and caused hindrance in discharge of their official duty by pelting stones. The accused persons damaged the official vehicle and managed to take away the seized liquors and vehicles.

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 was disclosed by local Chowkidar. The petitioner is not the owner of the said vehicles and he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The co-accused persons have already been granted anticipatory bail by this court vide order dated 01.02.2024 passed in Cr. Misc. No. 1676 of 2024. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 14.09.2024.

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, East Champaran at Motihari in connection with



Kotwa (Bhopatpur) P.S. Case No. 349 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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