

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82417 of 2024

Arising Out of PS. Case No.-291 Year-2024 Thana- JOGAPATTI District- West Champaran

Ashok Yadav Son of Butai Yadav @ Butan Yadav R/O-Village- Mujaina
Harpur, Police station- Nadi, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Yogapatti PS Case No. 291 of 2024 instituted for the offences
under Sections 317(5) & 3(5) of the Bharatiya Nyaya Sanhita,
2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 734 liters
foreign liquor was recovered from Bolero Pickup van.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that apprehended co-accused disclosed the name of the petitioner. Petitioner is neither the owner of the vehicle nor driver of the vehicle in question. The petitioner is in custody since 23-09-2024 and has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Yogapatti PS Case No. 291 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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