

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86530 of 2024

Arising Out of PS. Case No.-173 Year-2020 Thana- PHULWARIYA District- Gopalganj

Pappu Kumar Yadav Son of Shardanand Yadav Resident of Village - Rampur
Kala, P.S. - Phulwariya, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mishra, Adv.

For the Opposite Party/s : Ms. Meena Singh, APP

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

ORAL ORDER

2 18-01-2025 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 Phulwariya P.S. Case No. 173 of 2020 dated 23.07.2020 registered for the offences punishable u/ss 30(a) and 32(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 711 litres of illicit country made liquor was recovered from the Bolero vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Uma Devi. The petitioner is not the owner of the said vehicle and he has no concern with the alleged recovery. Nothing



has been recovered from the conscious possession of the petitioner. The petitioner has four criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 07.10.2024.

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, Gopalganj in connection with Phulwariya P.S. Case No. 173 of 2020 with the condition :-

(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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