

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88678 of 2024

Arising Out of PS. Case No.-133 Year-2024 Thana- Bypass District- Bhagalpur

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Ashutosh Kumar Yadav @ Ashutosh Kumar Son of Ravindra Yadav Resident
of Village -Mali Palganjiya, P.S.- Matiya O.P., District -Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Adv.

For the Opposite Party/s : Mr.Anish Chandra, APP

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

ORAL ORDER

2 15-02-2025 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 Bypass P.S. Case No. 133 of 2024 dated 14.11.2024 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 133.560 litres of illicit Indian made foreign liquor was recovered from the car which was being driven by the co-accused, Aadarsh Kumar who disclosed the name of the petitioner and the other co-accused persons.

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 has sprung up in the confessional statement of the co-accused, Aadarsh Kumar. 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 two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 14.11.2024.

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, Bhagalpur in connection with Bypass P.S. Case No. 133 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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