

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6959 of 2018

Arising Out of PS. Case No.-143 Year-2017 Thana- HARLAKHI District- Madhubani

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Pramod Yadav S/o Babaji Yadav, R/o Village- Hurrahi, P.S.- Harlakhi,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Uday Chand Prasad

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

ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Harlakhi P.S.
Case no. 143 of 2017 registered under Sections 272, 273 of
Indian Penal Code and Section 30(a) of Bihar Prohibition &
Excise Act-2016.

18 lts. of Nepali liquor is said to have been recovered from
the possession of one Pramod Sahni who disclosed the name of
the petitioner in the occurrence in his confessional statement.

It is submitted by learned counsel for the petitioner that no
incriminating article has been recovered from his conscious
physical possession. The petitioner has no concern with the
seized liquor. There is nothing in the record indicating the



complicity of the petitioner barring the confessional statement of co-accused Pramod Sahni which has no evidentiary value in the eye of law. The petitioner happens to be cloth merchant. Though, two cases under Excise Act have been lodged against the petitioner but the petitioner is on bail in both the said cases. The petitioner has been languishing in custody since 16.10.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Harlakhi P.S. Case no. 143 of 2017.

(Prakash Chandra Jaiswal, J)

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