

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No 74020 of 2019**

Arising Out of PS. Case No.-191 Year-2019 Thana- BISFI District- Madhubani

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LAXMAN YADAV Son of Ramavahadur Yadav Resident of Village - Bisfi  
Mothaje, P.S.- Bisfi, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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|--------------------------|---|----------------------|
| For the Petitioner/s     | : | Mr.Subhash Kumar Jha |
| For the Opposite Party/s | : | Mr.Ansar Ul Haque    |

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

**2      18-12-2019**              Heard learned counsel for the petitioner and the learned  
APP for the State.

The petitioner seeks bail in Bisfi Police Station (for  
brevity, PS) Case No 191 of 2019 dated 05.07.2019  
corresponding to GR No 1238 of 2019 instituted for the offence  
under Section(s) 272, 273 of Indian Penal Code and Section 30  
(a) of Bihar Excise and Prohibition Act, 2016.

It is submitted by the petitioner's counsel that the  
petitioner is quite innocent and no occurrence, as alleged, did  
ever take place and the entire prosecution story is false,  
concocted. The petitioner has falsely been implicated in this  
case only on suspicion. It is further submitted that the petitioner  
does not deal with the selling or purchasing of wine. Petitioner  
is in custody since 04.10.2019.

Learned APP has opposed the prayer for bail. It is  
submitted that petitioner was indeed engaged in illicit



trafficking of liquor. Through search and investigation, total 205 liters of country made liquor was recovered from his possession.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise Act, Madhubani in connection with Bisfi PS Case No 191 of 2019 dated 05.07.2019 corresponding to GR No 1238 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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