

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24370 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- HARLAKHI District- Madhubani

DURGESH KUMAR YADAV Son of Naresh Yadav Resident of Village-
Bela, P.S.- Phulparas, District- Dhanusha (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.
For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-09-2020 Heard Mr. Ravi Prakash, learned counsel for the
petitioner and Mr. Atul Chandra, Additional Public Prosecutor
for the state through video conferencing.

Petitioner seeks regular bail in connection with
Harlakhi PS Case No. 37/2020 registered for the offence
punishable under Sections 272, 273, 414 IPC and under Section
30(a) of Bihar Prohibition & Excise Act.

The allegation against the petitioner as per First
Information Report is that the SSB Officials intercepted a
motorcycle and recovered total quantity of 90 litres of illicit
liquor from the same.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and has falsely been implicated in this case. Learned counsel
further submits that petitioner has got no criminal antecedents.



Learned counsel referring to paragraphs-9 and 11 of this application, submits that petitioner is not the owner of the motorcycle and has no concern with the same. Learned counsel further submits that petitioner is in custody since 03.03.2020.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 03.03.2020 having no criminal antecedents, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, **DURGESH KUMAR YADAV** be released on bail, if he is not required in any other case, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) 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 PS Case No. 37/2020.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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