

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18682 of 2021**

Arising Out of PS. Case No.-352 Year-2020 Thana- LAUKAHA District- Madhubani

Naresh Kumar Yadav aged about 28 years, Son of Kapildeo Yadav Resident
of Village- Dhanushi P. S. Lalmaniya (O.P.) District- Madhubani

... .. 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. Ashok Kumar Singh, APP

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

2 02-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for short 'APP') for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in Laukaha (Lalmaniya) P S
Case No.352 of 2020 instituted for the offence under Sections
272 and 273 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

Liquor in jute bags was being stored which has been
recovered.

Petitioner's counsel submits that he has falsely been
implicated in this case as being one of the persons who fled



away from the place of recovery. He has no concern with the 267 litres of Nepali wine recovered in jute bags. He has no criminal antecedents and while he was passing by he has been apprehended and has become a victim of the circumstances. He is in custody since 20.12.2020.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Madhubani, in connection with Laukaha (Lalmaniya) P S Case No.352 of 2020, GR No. 1710 of 2020, 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)

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