

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18239 of 2021**

Arising Out of PS. Case No.-237 Year-2020 Thana- LAUKAHI District- Madhubani

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DHARMENDRA KUMAR YADAV Son of Mahesh Yadav Resident of
Village - Mansapur, P.S.- Laukahi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ravi Prakash, Advocate

For the Opposite Party/s : Ms Meena Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 26-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, APP) appearing for
the State of Bihar.

The petitioner seeks bail in Laukahi Police Station
(for brevity, PS) Case No 2377 of 2020 dated 29.12.2020, GR
No 1779 of 2020 instituted for the offence punishable under
Sections 272, 273/34 of Indian Penal Code and Section 30 (a) of
Bihar Prohibition and Excise (Amendment) Act, 2018.

From the motorcycle, 27 liters of Nepali wine has
been recovered. The driver has allegedly fled away whereas the
petitioner has been arrested.

Learned counsel submits that the petitioner has no
concern with the motorcycle or recovered Nepali wine. He was



a bona fide passerby and has become a victim of the circumstances. He is in custody since 30.12.2020 and has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds 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 Laukahi PS Case No 2377 of 2020 dated 29.12.2020, GR No 1779 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.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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