

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35963 of 2021

Arising Out of PS. Case No.-181 Year-2019 Thana- JAYNAGAR District- Madhubani

SHAMBHU YADAV Son of Arvind Yadav Resident of Village - Terha, P.S.-
Jaynagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Adv.

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-12-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, seeing the police personnel it is stated that the accused persons started to flee. One of the accused namely Pradeep Mukhiya was caught and a total of 620 litres of liquor was recovered. He disclosed the name of other accused persons who have managed to flee which include the petitioner herein.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the



petitioner's possession who was not arrested at the spot. The cause of false implication of this petitioner is his antecedent. The petitioner is in custody since 14.12.2020 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner has antecedent under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Jaynagar P.S. Case no.181 of 2019 (G.R. no.700 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Madhubani.

(Partha Sarthy, J)

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