

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10324 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- SAHARGHAT District- Madhubani

Sunil Yadav Son of Late Kailash Yadav Resident of Village - Akhraharghat,
P.s.- Saharghat, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 27-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
Saharghat P.S. Case No. 167 of 2021 instituted for the offences
punishable under Sections 272, 273 and 34 of the Indian Penal
Code as well as under Section 30(a) of the Bihar Prohibition and
Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 07.12.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

The prosecution case, in short, is that when the police
force was on duty, the informant saw that three persons riding



on a bicycle were coming with some articles towards India from Nepal border. When the said police stopped them, they were trying to flee away. The police party chased them and caught a person namely, Sunil Yadav (petitioner) but rest of them fled away towards Nepal after leaving their goods and bicycle. On search, 90 liters Nepali liquor was seized. During the course of investigation, he (petitioner) disclosed the names of the other associates.

Learned counsel for the petitioner submits that the petitioner is innocent and no incriminating articles have been recovered from the possession of the petitioner and the alleged recovered liquor does not belong to the petitioner and he is in custody since 07.12.2021 and charge-sheet has already been submitted in this case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 07.12.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) 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
Saharghat P.S. Case No. 167 of 2021.

(Khatim Reza, J)

Gaurav Kumar/-

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