

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58901 of 2021

Arising Out of PS. Case No.-198 Year-2021 Thana- LAUKAHI District- Madhubani

RAJ KUMAR YADAV Son of Late Ras Lal Yadav Resident of Village -
Harbhanga, P.S.- Laukahi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Laukahi PS case no. 198 of 2021 instituted for the offences
punishable under Sections 272, 273/34 the Indian Penal Code and
Section 30(a) of Bihar Prohibition and Excise (Amendment) Act,
2018.

The allegation is regarding recovery of 95.700 liters
of illicit Nepali Kasturi liquor at the Indo-Nepal Border, which was
being brought by the accused persons in a sack loaded on their heads,
however, upon the accused persons having seen the police, they had
thrown the sacks and were trying to flee away, nonetheless the
petitioner was arrested from the spot.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the



present case and is languishing in custody since 26.08.2021. The learned counsel for the petitioner has further submitted that apart from the present case, the petitioner is an accused only in one other case. It is also submitted that the petitioner has been falsely implicated in the present case and the fact is that he was standing near the place of occurrence while the main accused persons had fled away.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge-II-Special Judge (Excise), Madhubani in connection with Laukahi PS case no. 198 of 2021.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

