

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49101 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- HARLAKHI District- Madhubani

Nirdhan Yadav S/o Late Rampriti Yadav, R/o village- Mangpatti, P.S.- Harlakhi, 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. Kanhaiya Kishore, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with Harlakhi P.S. Case No. 19 of 2022 (G.R. No. 146 of 2022), lodged under Sections 272, 273/34 of Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, the total recovery of 198 liters of wine is the subject matter relating to the present case.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that there are 5 persons apprehended from the place of

occurrence but not the petitioner. He also submits that out of 5 persons, 1 person has disclosed the name of petitioner, as such, name of petitioner has figured in this case. Learned counsel further submits that petitioner is in custody since 02.06.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) 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 Harlakhi P.S. Case No. 19 of 2022 (G.R. No. 146 of 2022), subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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