

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53533 of 2022

Arising Out of PS. Case No.-146 Year-2022 Thana- LAUKAHA District- Madhubani

Utim Yadav @ Utin Yadav S/o Late Bacha Yadav, Resident of village-
Awenagar, Goan Palika Bhagwanpur, P.S.- Lahan, District- Sirsa, Nepal
Province No-2

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-10-2022 Let the defect, 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
G.R. No.388 of 2022 arising out of Laukaha (Lalmaniya) P.S.
Case No. 146 of 2022 lodged under Sections 272, 273/34 of the
Indian Penal Code read with Section 30(a) of Bihar Prohibition
and Excise Act, 2018.

As per prosecution case, the total recovery in this case
is 132 liters of Nepali wine is alleged to be made in this case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further

submits that the allegation against the petitioner is that he has thrown the said wine in the open field and started fleeing away. Learned counsel for the petitioner further submits that antecedent of petitioner is clean and he is in custody since 06.06.2022 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 Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with G.R. No. 388 of 2022 arising out of Laukaha (Lalmaniya) P.S. Case 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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