

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69210 of 2021**

Arising Out of PS. Case No.-192 Year-2019 Thana- LADANIA District- Madhubani

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SUNIL YADAV S/o Biltu Yadav @ Vilat Yadav R/o village- Yogiya Simara
Tole, P.S.- Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Ms.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Ladaniya Police Station Case No. 192 of 2019, registered for the
offences punishable under Sections 272/273/34 of the Indian
Penal Code and Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that four persons were carrying jute bags on bicycles
and three persons were carrying jute bags on their heads,
containing illicit Nepali liquor and were coming from Nepal and
on seeing the police party, they succeeded in fleeing away after
throwing jute bags. The local Chowkidar identified the accused
persons, including the petitioner. The police recovered total



quantity of 648 litres of illicit Nepali liquor from the jute bags thrown by the accused persons.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the disclosure of his name by the local Chowkidar and he has not committed any offence in the manner alleged. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner and similarly situated co-accused Shatrughan Yadav has been granted bail by co-ordinate Bench of this Court, vide order, dated 03.03.2020, passed in Criminal Misc. No. 15163 of 2020. He further submits that the petitioner is in custody since 27.10.2021 and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that similarly situated co-accused person has been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since 27.10.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Madhubani, in connection with Ladaniya Police Station Case No. 192 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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