

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5620 of 2023

Arising Out of PS. Case No.-49 Year-2022 Thana- LADANIA District- Madhubani

SHAMBHU YADAV S/O RAJENDRA YADAV Resident of Village- Yogia,
P.S.- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, there has been recovery of 126 liters of Nepali liquor from a motorcycle.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to village party politics. He has committed no offence. He submitted that the petitioner has no concern either with the seized liquor or with the said motorcycle. It has been recovered from co-accused namely, Prahlad Kumar Sharma, who disclosed



the name of the petitioner and then he implicated in the present case. He submitted that petitioner has not arrested on spot. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 05.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-IIInd-cum-Special Judge, Excise Act, Madhubani in connection with Ladania P.S. Case No. 49 of 2022.

(Sunil Kumar Panwar, J)

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