

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8024 of 2023

Arising Out of PS. Case No.-170 Year-2022 Thana- MADHWAPUR District- Madhubani

MADAN YADAV Son of Jogi Yadav Resident of village - Bairwa, P.S.-
Madhwapur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Mr. Gagan Deo Yada, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey (App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation, when the police party were on patrolling duty arrested the petitioner who was trying to escape. On search, total 300 liters illicit liquor was recovered thereafter, seizure list has been prepared in accordance with law.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case on the basis of suspicion. A statement has been made in para-3 of



the petition that the petitioner has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. No any incriminating article has been recovered from conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 23.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

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 released on bail in connection with Madhwapur P.S. Case No. 170 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

(Sunil Kumar Panwar, J)

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