

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17670 of 2023

Arising Out of PS. Case No.-379 Year-2022 Thana- JAYNAGAR District- Madhubani

Upendra Yadav Son Of Uttam Yadav Resident Of Village - Korahiya Nav
Toli, P.S. - Jaynagar, Distt. - Madhubani.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections 272,
273, 414/34 of Indian Penal Code and Section 30(a),
41 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 810 litres
of Nepali liquor from a pickup van and 3 motorcycles.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and



has committed no offence. He has no concern with the alleged recovery or with the vehicles in question. The name of the petitioner has been disclosed in this case by local Chowkidar. There is no independent witness of the alleged seizure. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 25.01.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, 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 Sessions Judge II-cum-Special Judge, Excise Act, Madhubani in connection with



Jaynagar P.S. Case No. 379 of 2022.

(Sunil Kumar Panwar, J)

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