

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18724 of 2023

Arising Out of PS. Case No.-123 Year-2022 Thana- SAHARGHAT District- Madhubani

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MUKESH KUMAR YADAV @ MUKESH PRASAD YADAV Son of Dukhi Prasad Yadav Resident of Village - Ganguar, P.S.- Harlakhi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2023 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 sections 272, 273, 34 of the IPC and Sections 30(a) Bihar Prohibition and Excise Act.

As per FIR, the prosecution case relates to recovery of total 225 liters Nepali country made liquor from a car bearing Reg. No. DL3CAK-1216. It is further alleged that due to darkness petitioner succeeded to flee away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery nor vehicle in question



belongs to the petitioner. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 07.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saharghat P.S. Case No. 123 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

(Sunil Kumar Panwar, J)

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