

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21175 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- KHAJAULI District- Madhubani

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PRADEEP YADAV Son of Jivachh Yadav R/V- Biraul P.S.- Khajauli Dist-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Khajauli P.S. Case No. 186 of 2022, dated 30.09.2022 registered
for the offences punishable under Sections 420, 467, 468, 471
and 120(B) of the Indian Penal Code and Sections 30(a), 32(1),
(2) and 41(1),(2) of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of
1240.2 litres of *Indian made English liquor* and the same is
stated to have been recovered from a truck but the petitioner
was not apprehended at the spot of recovery and his name was
disclosed by the apprehended co-accused Sanjay Kumar and the
said disclosure has no evidentiary value and during investigation
no independent witness supported the allegations levelled



against this petitioner and he has been languishing in jail since 21.01.2023 and he himself surrendered before the trial court and against him the investigation has been completed. Further submission is that though against the petitioner there is criminal antecedent of one case but he has got bail in the said antecedent case.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly the completion of investigation against the petitioner and his custody period and also the fact that the petitioner was not apprehended at the spot of recovery, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Khajauli P.S. Case No. 186 of 2022.

(Shailendra Singh, J.)

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