

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22766 of 2023

Arising Out of PS. Case No.-352 Year-2021 Thana- LADANIA District- Madhubani

Ganesh Yadav @ Ganesh Kumar Yadav Son Of Ram Sufal Yadav Village-
Salkhaniya Ps- Babubarhi Dist- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kumari Pallavi- Advocate Mr. Manoj Kumar Pandey- Advocate
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 272,
273, 34 of the I.P.C. and Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 42 litre of liquor/bear from a bag which was kept
on a motorcycle.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated based on confessional statement of co-accused in



police custody which does not have any evidentiary value. It is next submitted that even the motorcycle does not belong to the petitioner.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge Excise, Madhubani in connection with Ladania P. S. Case No.352 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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