

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25603 of 2023**

Arising Out of PS. Case No.-68 Year-2023 Thana- BISFI District- Madhubani

LAXMAN YADAV SON OF RAMAVAHADUR YADAV RESIDENT OF
VILLAGE -BISFI (MOTNAJE) P.S BISFI, DISTRICT MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

- 2 15-05-2023 1. Having considered the prayer made by learned counsel for the petitioner, permission is granted to make the necessary correction with regard to the date of judicial custody of the petitioner in paragraph No.11 of the petition.
2. Heard learned counsel for the petitioner and the learned APP for the State.
3. Petitioner seeks regular bail in connection with Bisfi P.S. Case No.68 of 2023 dated 03.03.2023 corresponding to G.R. No.346 of 2023 registered for the offence(s) punishable under Section(s) 272, 273 read with 34 of the Indian Penal Code and Section(s) 30(a) of the Bihar Prohibition and Excise Act.
4. The main submissions advanced by the learned counsel for the petitioner are that the instant matter relates to the recovery of 450 litres of Nepali liquor and the same is stated to have been recovered from a car and as per allegation the petitioner was found as a liner and travelling ahead of the alleged



car on a motorcycle but from his conscious possession no recovery of any liquor was made and the witnesses of the seizure are not independent persons and against the petitioner there is criminal antecedent of one case and he was not concerned with the alleged car from which the alleged wine was recovered and against him the investigation has been completed and he has been languishing in jail since 03.03.2023.

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

6. Considering the above submissions and mainly the completion of investigation against the petitioner and also the fact that he was found riding a motorcycle and the alleged liquor was recovered from a car and the same is not alleged to have been recovered from the conscious possession of this petitioner, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Bisfi P.S. Case No.68 of 2023 corresponding to G.R. No.346 of 2023 on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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