

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24768 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- LADANIA District- Madhubani

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1. Vivek Kumar Yadav Son Of Jamun Yadav Resident Of Village - Barail, Police Station - Babubarhi, District - Madhubani
 2. Raj Kishore Kumar Yadav Son Of Late Neti Lal Yadav Resident Of Village - Barail, Police Station - Babubarhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 15-05-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. Petitioners seek regular bail in connection with Ladaniya P.S. Case No. 15 of 2023 dated 13.01.2023 registered for the offences punishable under Sections 272 and 273 of IPC and Section 30(a) of Bihar Prohibition and Excise Act.
3. The main submissions advanced by learned counsel for petitioners are that the present matter relates to the recovery of 78 litres of Nepali country-made liquor and the same is stated to have been recovered from the possession of the petitioners and as per the allegation, the petitioners were intercepted with the alleged wine and a motorcycle, infact the petitioners have been falsely roped in this case mainly on the basis of suspicion and

they have fair and clean antecedent and on the alleged day of recovery they went to see a relative of petitioner no. 1 and the witnesses of the seizure are police personnel and the provisions of search mentioned in Section 100 of Cr.P.C. were not followed by the police while making the search and seizure of the alleged wine and the petitioners have been languishing in jail since 13.01.2023, and against them the investigation has been completed.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the fair and clean antecedent of the petitioners and their young age as disclosed in the petition and also the completion of investigation against them, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioners named above be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned Court in connection with Ladaniya P.S. Case No. 15 of 2023.

(Shailendra Singh, J)

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