

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27619 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- NAUTAN District- West Champaran

Jitendra Yadav S/O Birendra Yadav @ Virendra Yadav R/O Village-
Purandarpur, P.S- Nautan, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 17-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Nautan P.S.
Case No. 56 of 2023 dated 10.02.2022 registered for the offences
punishable under Section 414 of IPC and Section 30(a) of Bihar
Prohibition and Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of
74.340 litres of foreign liquor and the same is stated to have been
recovered from a Mahindra Bolero vehicle and as per allegation
the petitioner and co-accused Bala Yadav are alleged to have been
arrested at the spot from the alleged vehicle, but in actual, co-
accused Kedar Yadav had arranged the vehicle in question with the
alleged foreign liquor, regarding which the petitioner had no
knowledge and the said fact finds place in the FIR itself and

petitioner has no concern with the seized vehicle as well as seized foreign liquor and he has been languishing in jail since 10.02.2023, though against the petitioner there is criminal antecedent of one case but the same was lodged under the offences punishable under POCSO Act and accordingly, petitioner has no criminal antecedent in respect of the offences of Excise Act and against him the investigation has been completed.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail in connection with **Nautan P.S. Case No. 56 of 2023** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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