

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30452 of 2023

Arising Out of PS. Case No.-133 Year-2019 Thana- RAJNAGAR District- Madhubani

JAI KUMAR YADAV s/o Muneshwar Yadav Resident of village Kamlabari
P.S. Jainagar District Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code as well as under Section 30(a) of the Bihar Prohibition and Excise Act.

8.4 litres of Nepali liquor has been recovered from motorcycle of the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got two criminal antecedents as stated in paragraph-3 of the bail application. It is further submitted that in absence of the petitioner, the co-accused, namely, Sobha Kumar Yadav had



taken the motorcycle of the petitioner for urgent work. The petitioner is made accused in the present case as he is the owner of the said motorcycle. There is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Rajnagar P.S. Case No.133 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

- (i) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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