

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34014 of 2023**

Arising Out of PS. Case No.-273 Year-2022 Thana- LAKHNAUR District- Madhubani

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NARESH KUMAR YADAV @ NARESH YADAV Son of Rajendra Yadav @
Rajindar Yadav Resident of Village - Laufa, P.S.- Lakhanour, District -
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti

For the Opposite Party/s : Mr. Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Lakhanour P.S. Case No. 273 of 2022 (G.R. No. 1050 of 2022) dated 16.12.2022 registered for the offences punishable u/s 272 and 273 read with section 34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 828 litres of foreign liquor was recovered from an auto and the driver of the said auto fled away.

Learned counsel for the petitioner has submitted that the



petitioner is innocent and has falsely been implicated in this case. The said liquor was recovered from an auto and the petitioner has no concern with the said recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is neither the driver nor the owner of the said auto. The petitioner is also accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 31.03.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jhanjharpur, Madhubani in connection with Lakhanour P.S. Case No. 273 of 2022 (G.R. No. 1050 of 2022).

The application stands allowed.

(Chandra Prakash Singh, J)

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