

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35081 of 2023

Arising Out of PS. Case No.-10 Year-2022 Thana- FULKAHA District- Araria

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LALAN KUMAR YADAV @ LALAN KUMAR Son of Late Shiv Narayan
Yadav @ Roop Narayan Yadav Resident of Village - Manikpur, Ward No.- 8,
P.S.- Fulkaha, District - Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.

For the Opposite Party/s : Mr. Sharda Kumari, APP

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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 Fulkaha P.S. Case No. 10 of
2022 dated 13.02.2022 registered for the offences punishable u/s
30(a), 41(1) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 712 liters of *Nepali*
liquor was recovered from the Scorpio of the co-accused Navin
Kumar.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in the confessional statement of co-accused Navin Kumar. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that the petitioner has no concern with the alleged recovery. The petitioner is also accused in five other criminal cases in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 12.04.2023.

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, Araria in connection with Fulkaha P.S. Case No. 10 of 2022, with the condition/s:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.



The application stands allowed.

(Chandra Prakash Singh, J)

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