

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41315 of 2023

Arising Out of PS. Case No.-134 Year-2021 Thana- DEODHA District- Madhubani

Rakesh Yadav @ Rambaboo Yadav S/O Utim Lal Yadav R/O Village-
Akaunha, Ps. Deodha, Dist. Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272, 273, 414, 34 of the Indian Penal Code and Section 30(a) Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of total 180 liters illegal liquor and two motorcycles from the petitioner and co-accused person.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused. Neither the petitioner



was apprehended on the spot nor vehicle in question belongs to him. It is further submitted that nothing has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 12.04.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Deodha P.S. Case No. 134 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum Special Judge Excise Act, Madhubani.

(Sunil Kumar Panwar, J)

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