

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41170 of 2023

Arising Out of PS. Case No.-447 Year-2017 Thana- JAYNAGAR District- Madhubani

Rakesh Yadav @ Rakesh Kumar Yadav @ Rambabu Yadav Son Of Uttim Lal
Yadav Vill Akaunha Ps Deodha Dist Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Anish Chandra

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 section 272, 273 of the Indian Penal Code and sections 30(a), 30(d) of the Bihar Prohibition and Excise Act.

As per FIR, police party raided the house of co-accused Kusum Devi and recovered two motorcycles along with instruments which are used in manufacturing liquor. The petitioner is alleged to have indulged in business of illicit liquor.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to his criminal antecedents. Petitioner has no concern with the



alleged recovery of illicit liquor or with the place of occurrence. Neither the petitioner was apprehended on spot nor any incriminating article has been recovered from his conscious possession rather his name was disclosed by arrested co-accused Kusum Devi. Moreover, the petitioner is languishing in judicial custody since 26.5.2023.

Learned APP appearing for the State has vehemently opposed the prayer of 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 him on bail. The above named petitioner is directed to be released on bail in connection with Jaynagar P.S. Case No. 447 of 2017 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge Excise Act, Dist- Madhubani.

(Sunil Kumar Panwar, J)

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