

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42288 of 2023

Arising Out of PS. Case No.-92 Year-2020 Thana- DEODHA District- Madhubani

RAKESH KUMAR YADAV @ RAM BABU YADAV SON OF LATE
UTTAM LAL YADAV RESIDENT OF VILLAGE- AKAUNHA, PS-
DEODHA, DISTT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav with Mr. Ravi Prakash and Mr. Rajesh Kumar, Advocates
For the Opposite Party/s	:	Mr. Pushpa Sinha.1, APP

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
instituted for the offence under Sections 272, 273 and 34 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act.

As per prosecution case, there has been recovery of
total 486 liters of illegal *Nepali* liquor from a Scorpio Car.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot.
On the basis of secret information, he has implicated in the



present case. He submitted that the petitioner has no concern either with the seized vehicle or with the wine in question. No incriminating article has recovered from the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C. has not followed in this case, while preparing the seizure list. He is languishing in judicial custody since 24.04.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Deodha P.S. Case No. 92 of 2020.

(Sunil Kumar Panwar, J)

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