

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42466 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- LAUKAHA District- Madhubani

Shiv Kumar Yadav Son Of Chandi Yadav Resident Of Village - Madhopur,
P.S. - Laukaha, District - Madhubani

... .. Petitioner/S

Versus

The State Of Bihar Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner seeks regular bail in connection with
Laukaha P.S. Case No. 107 of 2023 dated 04.05.2023 (G.R. No.
301 of 2023) lodged under Sections 272, 273 & 34 of the I.P.C.
read with Section 30(a) of Bihar Prohibition and Excise Act,
2018.

3. As per the prosecution case, the total recovery of
168 liter *desi* wine has been made which is the subject matter of
the present case.

4. Learned counsel for the petitioner submits that
from the seizure list, it transpires that the recovery has been
made near road. Counsel submits that the petitioner has been
apprehended at near by place from where the recovery has been
made.

5. Counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel submits that petitioner is in custody since 04.05.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Jhanjharpur, Madhubani in connection with Laukaha P.S. Case No. 107 of 2023 dated 04.05.2023 (G.R. No. 301 of 2023), subject to the conditions as laid down under Section 437(3) of Cr.P.C.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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