

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44824 of 2023

Arising Out of PS. Case No.-63 Year-2022 Thana- RAHIKA District- Madhubani

Uttam Yadav @ Uttim Kumar Yadav, Son Of Ram Bahadur Yadav Resident
Of Village- Baggha, Ps- Kamtaul, Distt- Darbhanga

... .. 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.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 272, 273 of the I.P.C. and Section 30(a) of the Excise
Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 5.625 litres of liquor from a
motorcycle.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that petitioner came to be implicated as he is owner of the seized



vehicle. It is next submitted that no prudent person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is next submitted that petitioner was completely unaware that Pintu Kumar Yadav would misuse the vehicle in the manner as alleged as he was also arrested from the spot.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with Rahika P. S. Case No.63 of 2022, G. R. No.629 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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