

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53689 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- BASOPATTI District- Madhubani

KAMLESH YADAV S/O DUKHI YADAV R/O VILLAGE- MAHTHAUR,
PS. BASOPATTI, DIST. MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 216 liters of illegal country-made liquor from two motorcycles.

4. 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. The name of the petitioner has come into light, on the basis of disclosure by local villagers, which has got no evidentiary value in the eyes of law. He submitted that the petitioner has no



concern either with the seized vehicles or with the wine in question. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 19.06.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 below in connection with Basopatti P.S. Case No. 108 of 2023.

(Sunil Kumar Panwar, J)

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