

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65834 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- DEODHA District- Madhubani

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Dhanbir Yadav @ Bachcha Yadav @ Dharmbeer Yadav S/O. Ramsunder
Virazi Rresident Of Village - Kuaad, Ward No.1, P.S. - Jaynagar, District -
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mrs.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273 and 414 of the Indian Penal Code and section 30(a) of the Bihar Excise prohibition Act.

3. As per allegation in the FIR, 135 litres of illicit liquor was recovered from a motorcycle which was being driven by the petitioner and he was arrested on spot.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. There is no prior complaint regarding theft of the alleged motorcycle. Provision of Section 100 CR.P.C. has not been followed by the



police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 13.6.2023.

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

6. Petitioner is directed to deposit Rs. **5,000/- (Rs. Five thousand)** in the concerned DLSA.

7. 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 A.D.J. II-cum-Special Judge Excise Act, Madhubani in connection with Deodha P.S. Case No. 52 of 2023.

8. The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **5,000/- (Five thousand only)** by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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