

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63340 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- LAUKAHA District- Madhubani

Ram Kumar Yadav, S/O Late Jamun Yadav, R/O Village- Madhopur, P.S.-
Laukaha, Dist. Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

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

3. As per the allegation, the police party acting upon a secret information apprehended one person, namely, Maheshwar Ram while two other co-accused persons succeeded to flee away. It is further alleged that 208.200 litres of wine is recovered from the place of occurrence.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.07.2023. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case.



The petitioner has falsely been implicated in the present case. It is alleged that 208.200 litres wine is said to have been recovered from the bank of river. The name of this petitioner has transpired in the present case on the basis of confessional statement of co-accused, namely, Maheshwar Ram. Except for this, there is no other substantive evidence to suggest his implication in the present case. There is no chance of trial being concluded in near future. There is no compliance of Section 100 of Cr.P.C.

5. On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Laukaha P.S. Case No. 142 of 2023.

(Sudhir Singh, J)

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