

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64692 of 2022

Arising Out of PS. Case No.-264 Year-2022 Thana- LADANIA District- Madhubani

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DILIP KUMAR YADAV S/O RAJ KUMAR YADAV Resident of village-
Bhupatti, P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 332, 353, 302, 272, 273
and 34 of the Indian Penal Code and 30(a) of the Bihar
Prohibition and Excise Act.

As per allegation in the FIR, after seeing the police
party, a motorcycle born miscreant left his motorcycle and
pushed the informant and his associate as a result of which they
fell on the ground and miscreant fled away. In the meantime, a
scorpio rashly dashed the informant and his associate due to
which his associate namely H.C. Deoraj got badly injured and
during treatment he succumbed to injury. On search 90 liters of
Nepali liquor has recovered from the said motorcycle.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the petitioner is not named in the FIR. He submitted that during investigation, the name of the petitioner has come into light, on the basis of confessional statement of co-accused Vivek Kumar Yadav, which has got no evidentiary value in the eyes of law. The petitioner has no concern either with the seized vehicle or the liquor. He submitted that there is no consistent evidence and no eye-witness to show that the petitioner has involved in the alleged crime. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 28.03.2023 passed in Cr. Misc. No. 66630 of 2022. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 01.09.2022.

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

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
Additional Sessions Judge-II-cum-Special Judge, Excise Act,
Madhubani in connection with Ladania P.S. Case No. 264 of
2022.

(Sunil Kumar Panwar, J)

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