

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68168 of 2023**

Arising Out of PS. Case No.-194 Year-2023 Thana- LAUKAHI District- Madhubani

Krishna Kumar Yadav, S/O Debu Yadav Village- Dakahi, Ps- Andharamath,  
Dist- Madhubani, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      18-10-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Laukahi P.S. Case No.194/2023 lodged on 19.07.2023 under  
Sections 272, 273, 414, 34 of the Indian Penal Code and section  
30(a) of the Bihar Prohibition and Excise (Amendment) Act,  
2022.

3. As per the prosecution case, total 144 litre of Nepali  
country made liquor has been recovered from two motorcycles  
which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. Nothing has  
been recovered from the conscious possession of the petitioner.  
The petitioner has falsely been implicated in this case by the



police. He further submits that the petitioner is accused in one more criminal case, in which he is on bail and he is in custody since 20.07.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner is accused in one more criminal case of similar nature, hence, at the time of granting bail to the petitioner, this aspect must be taken into consideration.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Jhanjharpur, Madhubani, corresponding to G.R. No. 534/2023 in connection with Laukahi P.S. Case No.194/2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

**(Dr. Anshuman, J)**

Ashwini/-

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