

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69977 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- LADANIA District- Madhubani

LAKSHMAN YADAV @ LAKSHMAN KUMAR S/O RAJLAL YADAV
R/O VILLAGE- YOGIA, P.S- LADNIYA, DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate.

For the Opposite Party/s: Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Ladania P.S. Case No. 45 of 2023 dated 2.3.2023 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Excise Prohibition Act.

3. As per prosecution case, police received information about petitioner and co-accused bringing Nepali country made liquor and storing it at some identified place. A raid was conducted and 1035 litres of *Nepali* country made liquor was recovered from the said place.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case as he was not apprehended from the spot and no recovery has been shown



from the person or possession of the petitioner. The place from where the recovery was shown does not belong to the petitioner who has nothing do do with the seized liquor. The petitioner has got criminal antecedent of four cases out of which he is on bail in two cases. In this case the petitioner is in custody since 23.8.2023.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from spot and no recovery has been shown from him, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II cum Special Judge, Excise Act, Madhubani, Distt. Madhubani, in connection with Ladaniya P.S. Case No. 45 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditons:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by court below.

(iii) In case of absence on



*three consecutive dates or in violation
of the terms of the bail, the bail bonds
of the petitioner will be liable to be
cancelled by the court concerned.*

(Arun Kumar Jha, J)

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