

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71858 of 2022

Arising Out of PS. Case No.-162 Year-2022 Thana- SAHARGHAT District- Madhubani

Jaspal Yadav @ Jashpal Yadav S/O Rambriksh Yadav R/V- Kerwa, P.S.-
Saharghat District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ratanakar Jha, Advocate
		Ms. Mamata Mishra, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Saharghat P.S. Case No. 162 of 2022 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution, from the alleged hut of this petitioner, in total 54 Liters of *Nepali country made Soufi liquor*



was recovered.

The main submissions advanced by learned counsel Mr. Ratanakar Jha, appearing for the petitioner are that the alleged recovery of Nepali wine was made from the house of this petitioner but the said house is in joint possession of his family members including the petitioner and the said recovery was not made from the conscious possession of the petitioner and he has been languishing in jail since 12.10.2022 and against him there is criminal antecedent of one case and as per the prosecution the alleged liquor was recovered from the petitioner's husk house. Further submission is that the petitioner's mother has expired on 30.01.2023.

Learned APP Mr. Rana Randhir Singh, appearing for the State has opposed the prayer for bail and submitted that the petitioner remained involved in similar nature of offences hence, he does not deserve to the privilege of bail.

In view of the facts, as stated above and mainly taking into account the custody period of the petitioner and the stage of his case, this Court is inclined to accept the petitioner's prayer for bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the concerned Court in connection with
Saharghat P.S. Case No. 162 of 2022.

(Shailendra Singh, J.)

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