

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 72514 of 2023

Arising Out of PS. Case No.-249 Year-2023 Thana- HARSIDHI District- East Champaran

LALAN YADAV SON OF BIR BAHADUR YADAV RESIDENT OF
VILLAGE - DIPAU, P.S. - KOTWA, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 304, 308, 328, 201, 34,
272, 273 of the Indian Penal Code and Sections 30(a), 34, 37
and 41 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, petitioner is alleged to be
indulged in dealing with NDPS substances.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has



committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Rajesh Sahni, which has got no evidentiary value in the eyes of law. Nothing incriminating articles have been recovered from the conscious possession of the petitioner. There is no consistent evidence and no eye-witness of the alleged occurrence. Only on the basis of suspicion and due to his criminal antecedents, petitioner has been made accused in this case. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 19.10.2023 passed in Cr. Misc. No. 68548 of 2023. He is languishing in judicial custody since 25.07.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Exclusive Special Excise Court no. 1,
East Champaran, Motihari in connection with Harsidhi P.S.
Case No. 249 of 2023.

(Sunil Kumar Panwar, J)

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