

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69556 of 2022

Arising Out of PS. Case No.-186 Year-2022 Thana- KHAJAULI District- Madhubani

RAM KRIPAL YADAV S/O Gunjay Yadav @ Gunjan Yadav R/O Village-
Kashma Marar, P.S- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with Khajauli PS case no. 186 of 2022 instituted for the offences punishable under Section 420 and other allied sections of the Indian Penal Code and Section 30(a) and other allied sections of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 1240.200 liters of illicit foreign liquor from a truck, whereupon one Sanjay Kumar Yadav was arrested from the spot and he had disclosed about the complicity of other co-accused persons including the petitioner herein.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 07.10.2022. The learned counsel for the petitioner



has further submitted that neither the petitioner has been arrested from the spot nor the truck in question belongs to him nor any illicit liquor has been recovered from the conscious possession of the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the truck in question belongs to the petitioner, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge 2nd-cum-Special Judge, Excise Act, Madhubani in connection with Khajauli PS case no. 186 of 2022.

(Mohit Kumar Shah, J)

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