

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71007 of 2022

Arising Out of PS. Case No.-262 Year-2022 Thana- LAUKAHA District- Madhubani

MANOJ YADAV S/o Asharfi Yadav R/o Village- Rampur, P.S.- Laukaha,
Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 272, 273/34 of the IPC
and Section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, on getting secret
information, patrolling party proceeded towards place of
occurrence and on seeing them three persons started to escape.
On chase, one accused, namely, Dharmnath Yadav was arrested
and 540 bottle containing 300 ml of illicit liquor. Were
recovered from mango orchard of Raghunath Prasad. He
disclosed the name of the two accused persons who managed to
escape including the petitioner as of his associates.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 14.10.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Special Judge, Excise Act, Jhanjharpur in connection with Laukaha P.S. Case No. 262 of 2022.

(Sunil Kumar Panwar, J)

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