

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73665 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- FULKAHA District- Araria

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SAURABH KUMAR YADAV S/O- KAISLASH YADAV R/O- VILLAGE-
BHORHAR WARD NO. 11, P.S.- FULKAHA, DIST.- ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Fulkaha P.S. Case no. 108 of 2023 registered under section 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, two vehicles were stopped for checking. While incriminating article including illicit liquor etc. were recovered from the Maruti Celerio vehicle, it is stated that so far as the other Mahindra Scorpio is concerned, while there was a special compartment for carrying illicit liquor, drugs etc., however, no incriminating article was recovered. The petitioner is said to be in the vehicle from which no recovery took place.

4. It is submitted by learned counsel for the



petitioner that the petitioner has been falsely implicated in the case. So far as recovery from the vehicle Maruti Celerio is concerned, two accused therein namely Raushan Kumar Yadav and Raushan Kumar Mandal have been enlarged on bail vide order dated 22.11.2023 passed in Cr.Misc. no. 73313 of 2023. The petitioner is in custody since 20.8.2023 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, no incriminating article having been recovered from the vehicle of the petitioner, grant of bail to the coaccused named above and the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Fulkaha P.S. Case no. 108 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Araria.

(Partha Sarthy, J)

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