

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71898 of 2022

Arising Out of PS. Case No.-283 Year-2022 Thana- LAUKAHA District- Madhubani

SHIB KUMAR YADAV S/O Udaynarayan Yadav R/O Village- Balanehi, P.S-
Laukaha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with G.R.No. 892 of 2022, arising out of Laukaha P.S. Case No. 283 of 2022, registered for the offence punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 142.800 liters of illicit Nepali country made liquor from three motorcycles including that of the petitioner herein and the petitioner was



apprehended from the spot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 16.10.2022. The learned counsel for the petitioner has further submitted that a sympathetic view be taken considering the period of incarceration of the petitioner herein. It is submitted by referring to paragraph no. 11 of the present petition that the motorcycles in question does not belong to the petitioner herein.

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 petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.



Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur in connection with G.R.No. 892 of 2022, arising out of Laukaha P.S. Case No. 283 of 2022.

(Mohit Kumar Shah, J)

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