

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72920 of 2022

Arising Out of PS. Case No.-107 Year-2022 Thana- BABUBARHI District- Madhubani

LADDU LAL YADAV @ LADDU KISHOR YADAV S/O BHIKHARI
YADAV Resident of village- Andhara, P.S.- Andhara- Thadhi, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-03-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30 (a)/41 of the Bihar Prohibition and Excise Act, 2018.

Altogether 16.8 litres of Nepali liquor has been recovered from a motorcycle and two co-accused persons were apprehended on the spot.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no concern either with the seized liquor or the place of recovery or any



trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The name of the petitioner has been dragged in this case because he is the owner of the said motorcycle. Learned counsel for the petitioner further submits that he has transferred his motorcycle on the name of co-accused namely Ranjan Kumar Yadav. He was not apprehended on the spot. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) in account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Babubarhi P.S. Case No. 107 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C,



subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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