

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74682 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- MADHWAPUR District- Madhubani

1. Ramprabodh Yadav S/O Jeebachh Yadav @ Jibachh Yadav @ Bambam Yadav R/O Village- Balwa, P.S.- Madhawapur, Distt- Madhubani.
2. Santosh Yadav S/O Jeebachh Yadav @ Jibachh Yadav @ Bambam Yadav R/O Village- Balwa, P.S.- Madhawapur, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for bail in a case registered for the offence punishable under sections 272, 273, 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1080 litres of Nepali liquor from a car bearing Registration No. BR-32F-9991. Driver of the vehicle, namely, Mohan Bharti, was apprehended from the spot who disclosed the name of petitioner.



Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. They have no concern with the alleged recovery or with the vehicle in question. The name of the petitioners have been disclosed in this case by the apprehended co-accused, Mohan Bharti, before the police, which has got no evidentiary value in the eye of law. Neither the petitioners were arrested on spot nor any incriminating article has been recovered from his conscious possession. They are languishing in judicial custody since 6.12.2022.

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 petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount



each to the satisfaction of the learned 2nd Additional
Session Judge-cum-Special Judge, Excise Act,
Madhubani in connection with Madhwapur P.S. Case No.
100 of 2022.

(Sunil Kumar Panwar, J)

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