

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1732 of 2023

Arising Out of PS. Case No.-213 Year-2022 Thana- CHAUTHAM District- Khagaria

KRISHNA KUMAR @ BANTY YADAV @ BAMBAM KUMAR S/o Barun
Yadav R/o Village- Bhaptiya, P.S.- Sourbazar, Distt- Sarharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Section 420 of the Indian Penal Code and Section 30(a), 32(i)(ii), 41(i)(ii) and 36 of the Bihar Prohibition and Excise Act.

As per prosecution case, there has been recovery of 36 liters of illicit liquor from a car bearing no. BR01FC-0987, in which the petitioner was sitting.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. He submitted that the petitioner has no concern either with the seized vehicle or with the wine in question. No incriminating



article has been recovered from the conscious possession of the petitioner. He further submitted that the others co-accused have already been granted bail namely Bhim Kumar and Kundan Kumar by a Co-ordinate Bench vide order dated 13.01.2023/ 06.01.2023 passed in Cr. Misc. Nos. 63214 of 2022/ 61874 of 2022. He is languishing in judicial custody since 06.08.2022.

The application for bail is opposed by learned APP for the State.

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 Spl. Judge Excise 1st, Khagaria in connection with Chautham P.S. Case No. 213 of 2022.

(Sunil Kumar Panwar, J)

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