

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.698 of 2023

Arising Out of PS. Case No.-245 Year-2022 Thana- BABUBARHI District- Madhubani

Raj Kishor Yadav, S/o Ramlobhit Yadav, R/o Village Kamlabari, Purvi Tol,
P.S.-Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 25-04-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Babubarhi P.S. Case No. 245 of 2022 dated 17.10.2022 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Sections 30(a) & 41 of Bihar Prohibition and Excise Act.
3. The main submissions advanced by the learned counsel for the petitioner are that though against the petitioner there are criminal antecedents of two cases but petitioner has got bail in the said cases and moreover the case of antecedents were lodged in the year 2017 and the instant matter relates to the recovery of 88.8 litres of Nepali wine and the petitioner has been languishing in jail since 18.10.2022 and he was made



accused due to ill motive of the police.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's custody period, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, **let the petitioner be released on bail after framing of charge, if the same has not been framed**, in connection with Babubarhi P.S. Case No. 245 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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