

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1174 of 2023

Arising Out of PS. Case No.-195 Year-2021 Thana- MANIGACHI District- Darbhanga

NIRANJAN KUMAR YADAV @ NIRANJAN YADAV @ NIRANJAN Son
of Ram Udgar Yadav Resident of Village- Baghnochi, P.S.- Baheri, District-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishor Prasad

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

As per prosecution case, informant alleged that on
21.09.2021, after getting secret information she along with
police party reached at the Mahthour village and recovered total
of 1505.550 liter foreign made liquor and a Bolero car bearing
Reg. No. JH05F-7120. Taking the benefits of dark night
petitioner along with co-accused persons fled away

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. From



perusal of the FIR no one was arrested on the spot and merely on the basis of suspicion he has falsely been implicated in this case. Petitioner has no concern with the seized recovery and there is no direct and indirect evidence leveled against him. Similarly situated co-accused Santosh Jha has already been granted bail by a coordinate Bench of this Court vide order dated 24.11.2022 passed in Cr. Misc. No. 57232 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 02.02.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody of this petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Manigachi P.S. Case No. 195 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Darbhanga.

(Sunil Kumar Panwar, J)

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