

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79984 of 2023

Arising Out of PS. Case No.-434 Year-2022 Thana- BAHERA District- Darbhanga

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Kaushlendra Kumar Yadav @ Kaushlendra Yadav Son Of Dileep Yadav @
Dilip Yadav R/O Vill - Chakchintamanipur, P.S. - Manigachhi, Distt. -
Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 420, 467, 468, 471 and 34 of the Indian Penal Code and Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, total recovery of 480.600 liters of wine from a vehicle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner was not apprehended on spot only on the basis of disclosure made by apprehended co-accused persons, he has been dragged in this



case. Nothing has been recovered from the conscious possession of the petitioner and also he has no concern either with the seized liquor or with the vehicle in question. Similarly situated other co-accused persons have already been granted bail by another co-ordinate Bench of this Court vide Annexure-P/3 of this petition. Moreover, the petitioner is languishing in judicial custody since 28.08.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the 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 Bahera P.S. Case No. 434 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge II Excise Act, Darbhanga.

(Sunil Kumar Panwar, J)

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