

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81067 of 2023

Arising Out of PS. Case No.-403 Year-2023 Thana- NAUTAN District- West Champaran

Ram Babu Kumar @ Rambabu Kumar Son Of Shambhu Yadav R/O Village-
Nirpur, P.S.- Paharpur, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Brij Kishor Mishra
For the State	:	Mr. Murlidhar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3.As per prosecution case, petitioner was apprehended on the spot along with co-accused Manoj Yadav @ Bishmbhar Yadav who were riding on HF Delux Motorcycle bearing Reg. No. BR05AR-6105 and total 8.640 liters of illicit foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no concern with the alleged recovery of liquor. The



seized motorcycle was not stolen one rather the same belongs to Mukesh Yadav, who is nephew of the petitioner. So, no case is made out u/s 414 of the I.P.C. against the petitioner. No any incriminating article has been recovered from his conscious possession. Petitioner has got no criminal antecedent and languishing in judicial custody since 20.09.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. 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 Exclusive Special Judge, Excise-1, Bettiha, West Champaran in connection with Nautan P.S. Case No. 403 of 2023.

(Sunil Kumar Panwar, J)

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