

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81784 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- SAHARGHAT District- Madhubani

ARJUN KUMAR YADAV @ DHELWA @ ARJUN YADAV S/O BECHAN
YADAV R/O VILLAGE- RAMNAGAR, P.S- SAHARGHAT, DISTT.-
MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 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 sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 315 liters of Nepali country made sofee liquor.

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. Neither the petitioner has any concern with the alleged recovery of liquor or with the vehicle in question nor he is



indulged in trade of liquor. The name of the petitioner has been disclosed by the apprehended accused persons which has no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Petitioner is languishing in judicial custody since 08.10.2023.

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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Saharghat P.S. Case No. 108 of 2023.

(Sunil Kumar Panwar, J)

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