

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82829 of 2023

Arising Out of PS. Case No.-368 Year-2022 Thana- SUGAULI District- East Champaran

Lalan Yadav Son Of Late Kanhai Yadav @ Kanahaiya Yadav R/O Village-
Mali, P.S.- Sugauli, Dist.- East Champaran, Motihari - 845456

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh
For the Opposite Party/s : Mr. Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

As per allegation in the FIR, on getting secret information about preparing of liquor on bank side of Sikrahna river, police party proceeded towards place of occurrence and recovered six litres of country made liquor. Petitioner managed to escape and he was identified as the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the



place of occurrence. The name of the petitioner has been disclosed in this case by the local choukidar. 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 officials while preparing the seizure list. He is languishing in judicial custody since 25.09.2023.

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

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 Excise Court No. 1, Civil court, East Champaran at Motihari, Bihar in connection with Sugauli P.S. Case No. 368 of 2022.

(Sunil Kumar Panwar, J)

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