

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11111 of 2024

Arising Out of PS. Case No.-789 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

=====

Priyanshu Yadav S/o Pawan Kumar R/o vill - Lakshmipur Madhumalti
Semra, P.S. - Turkaulia, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Bharat Lal, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Town
P.S. Case No. 789 of 2023 instituted for the offences under
Section 30(a), 32, 41(1) of the Bihar Prohibition and Excise
Act & 25(1-B)(a), 26, 35 of the Arms Act.

3. As per prosecution case, the police has recovered
360 ML English liquor along with 10 live cartridges of 7.65
KF from the Scorpio vehicle of the petitioner bearing
Registration No. BR05PB-3111.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in



the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 14.12.2023.

5. Learned counsel for the petitioner again submits that the similarly situated co-accused Bittu Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 13.02.2024 passed in Cr. Misc. No. 7117 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction



of Court below/concerned Court in connection with Town
P.S. Case No. 789 of 2023.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

