

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9269 of 2024

Arising Out of PS. Case No.-320 Year-2023 Thana- HARLAKHI District- Madhubani

Naresh Kumar Yadav son of Feru Yadav Village- Mukhiyapatti Ps- Phulgama
Dist- Dhansua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

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

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

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Harlakhi P.S. Case No. 320 of 2023, instituted for the offences under Sections 272, 273 of Indian Penal Code and Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 105.75 litres illicit liquor was recovered from one motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case merely on suspicion. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery of liquor. Learned counsel



further submitted that petitioner has no concern with the vehicle from which the alleged recovery has been made and petitioner is neither the owner nor the driver of the said vehicle. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.12.2023 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

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

6. Considering the aforesaid facts and circumstances of the case, no criminal antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Harlakhi P.S. Case No. 320 of 2023.

(Rudra Prakash Mishra, J)

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