

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12126 of 2024

Arising Out of PS. Case No.-230 Year-2023 Thana- KHAJAUJI District- Madhubani

Binod Kumar Yadav @ Binod Yadav S/O Ramkripal Yadav Village- Kasma
Marar, Ps.- Khajauli, Dist. Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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

ORAL ORDER

- 2 26-02-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with Khajauli
P.S. Case No. 230 of 2023 instituted for the offences punishable
under Sections 272, 273/34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 84.990
litres of liquor was recovered from car.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case merely
on the basis of suspicion. No incriminating article has been
recovered from the conscious possession of the petitioner.
Learned counsel further submitted that petitioner is neither the



owner nor the driver of the vehicle and he has no concern with the vehicle from which the recovery has been made. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 18.12.2023 and has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP 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 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 Khajauli P.S. Case No. 230 of 2023.

(Rudra Prakash Mishra, J)

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