

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12388 of 2024

Arising Out of PS. Case No.-304 Year-2023 Thana- LAUKAHI District- Madhubani

Pappu Kumar Yadav S/O Jivachhaprasad Yadav @ Jivachh Prasad Yadav @
Jiwachh Yadav R/O Village- Murli, P.S- Phulparas, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Advocate

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

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

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Laukahi (Narahiya
O.P.) P.S. Case No. 304 of 2023 (G.R. No. 844 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, 216 liters
liquor was recovered from one car and the petitioner was
arrested on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious



possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is not the owner of the seized car. The petitioner is in custody since 22.11.2023 and has got no criminal antecedent. There is no compliance of Section 100 of 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Laukahi (Narahiya O.P.) P.S. Case No. 304 of 2023 (G.R. No. 844 of 2023).

(Rudra Prakash Mishra, J)

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