

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13221 of 2024

Arising Out of PS. Case No.-495 Year-2023 Thana- JAYNAGAR District- Madhubani

Pawan Kumar Yadav @ Pawan Yadav S/O Late Baldev Yadav R/O Village-
Amma Tola Ushrahi, P.S.- Deodha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Jaynagar P.S. Case No. 495 of 2023 (G.R. No. 1830 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, 207 liters liquor was recovered from two bicycles and the petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this 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. It is further submitted that the bicycle does not belong to the petitioner. The petitioner is in custody since 20.12.2023 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 Jaynagar P.S. Case No. 495 of 2023 (G.R. No. 1830 of 2023).

(Rudra Prakash Mishra, J)

Rajorshi/-

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