

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14131 of 2024

Arising Out of PS. Case No.-278 Year-2023 Thana- KOTWA District- East Champaran

Anil Kumar Yadav Son of Lalita Yadav @ Lalit Yadav R/o Village- Chaubey
Tola, P.S.- Kotwa (Bhopatpur O.P.), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

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

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kotwa P.S. Case No.
278 of 2023, instituted for the offences punishable under
Sections 272, 273 of the Indian Penal Code, Sections 30(a), 32,
36 and 41(i) Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 750.6 liters
liquor was recovered from two vehicles.

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 was not apprehended on spot and his name transpired from the confessional statement of co-accused persons. The petitioner is in custody since 15.01.2024 and has got two criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by Co-ordinate Benches of this Court vide order dated 26.09.2023 passed in Cr. Misc. No. 62144 of 2023, order dated 27.09.2023 passed in Cr. Misc. No. 62281 of 2023, order dated 15.09.2023 passed in Cr. Misc. No. 61645 of 2023, order dated 15.09.2023 passed in Cr. Misc. No. 62044 of 2023 and has been granted anticipatory bail vide order dated 24.01.2024 passed in Cr. Misc. No. 85148 of 2023. 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 Kotwa P.S. Case No.
278 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

