

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14618 of 2024

Arising Out of PS. Case No.-266 Year-2023 Thana- BASOPATTI District- Madhubani

Laxman Yadav Son of Devnarayan Yadav Resident of Village- Belatole, P.S.-
Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

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

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

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 1723 of 2023, arising out of Basopatti P.S. Case No. 266 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, 270 liters
liquor was recovered from three motorcycles.

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 motorcycle and his name has transpired from the confessional statement of co-accused person. The petitioner is in custody since 15.01.2024 and has got one criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 21.02.2024 passed in Cr. Misc. No. 10180 of 2024. 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 G.R. No. 1723 of 2023, arising out of Basopatti P.S. Case No. 266 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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