

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19645 of 2024

Arising Out of PS. Case No.-476 Year-2020 Thana- PHULPARAS District- Madhubani

Vijay Kumar Yadav @ Vijay Marshal @ Vijay Kumar S/o Ram Bilash Yadav
R/o vill - Phulparas East tole, P.S. - Phulparas, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

9 22-11-2024

1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Phulparas P.S. Case No. 476 of 2020, G.R. No. 1212 / 2020 registered for the offence punishable under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The regular bail application of the petitioner was earlier rejected by this Court in Cr. Misc. No. 43873 of 2021 *vide* order, dated 04.02.2022. Thereafter, the petitioner moved in this matter before Hon'ble Supreme Court of India for grant of regular bail in S.L.A. No. 2024/2023 which was heard and dismissed on 18.10.2023.

4. Prosecution case in brief is that Police got secret



information that consignment of liquor has been brought near the house of the petitioner. Accordingly, Police proceeded towards the place of occurrence and found that behind the house of the petitioner near the hutment, a truck is standing and from the truck as well as hutment total quantity of 1818 liters of foreign liquor has been recovered.

5. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of secret information and he is neither the owner of the truck nor its driver. He further submits that the hutment from where illicit liquor has been recovered is situated behind the house of the petitioner and the petitioner has no concern with the same. The petitioner is in custody since 06.05.2021.

6. Regard being had to the submission made by the parties, taking into consideration the period of custody of the petitioner, I am inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Additional District and Sessions Judge-II cum Special Judge Excise Act, Madhubani, in connection to the Phulparas



P.S. Case No. 476 of 2020, G.R. No. 1212 / 2020, disclosing offences under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

9. This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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