

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19707 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- Excise P.S. District- Madhubani

Lalu Kumar Yadav S/o Raj Kishor Das @ Ram Kumar Yadav R/o Vill -
Kamalapatti, Near Mukhiya Tola Manmohan, Ward No. 13, P.S. - Harlakhi,
Dist. - 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. Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.O.
No. 238 of 2024 (Prohibition P.S. Case No. 23 of 2024),
instituted for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 18 liters
liquor was recovered from motorcycle 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. 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 petitioner is not the owner of the seized motorcycle, rather he was a passerby of that way. The petitioner is in custody since 29.01.2024 and has got two criminal antecedents. 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.O. No. 238 of 2024 (Prohibition P.S. Case No. 23 of 2024).

(Rudra Prakash Mishra, J)

Rajorshi/-

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