

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26083 of 2024

Arising Out of PS. Case No.-397 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Mukesh Kumar Yadav Son of Ram Babu Yadav Resident of Village-
Bhairavpatti @ Bajitpur, P.S.- Bahadurpur, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Chaubey Jawahar, APP

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

ORAL ORDER

2 05-04-2024 Heard Mr. Sanjay Kumar, learned counsel for the
petitioner and Mr. Chaubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in connection with
L.N.M.U. P.S. Case No. 397 of 2023 instituted for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 90 litres
of liquor was recovered from the motorcycle and the petitioner
was arrested on the spot.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner is neither the owner nor the driver of the vehicle.
The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 28.12.2023 and has two criminal antecedents. There is no compliance of Section 100 of the 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with L.N.M.U. P.S. Case No. 397 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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