

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.26158 of 2024**

Arising Out of PS. Case No.-34 Year-2024 Thana- HARLAKHI District- Madhubani

Rakesh Yadav Son of Hriday Yadav R/o Village- Umgaon, P.S.- Harlakhi,  
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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

ORAL ORDER

2      05-04-2024                      1. Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Harlakhi  
P.S. Case No. 34 of 2024 instituted for the offences punishable  
under Sections 272, 273, 414 of the Indian Penal Code and  
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 279 litres  
of liquor was recovered from the front of the petitioner's house.

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 rather the recovery has been made from an open place. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 10.02.2024 and has no criminal antecedent. 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, clean antecedent 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 Harlakhi P.S. Case No. 34 of 2024.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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