

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27657 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- MADHWAPUR District- Madhubani

Bahadur Yadav Alias Rambahadur Yadav, Sex-M, Aged about 50 years, S/O
Rajendra Yadav R/O Vill. - Bairba, P.S - Madhwapur, DIstt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Sah, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Madhwapur P.S. Case No. 04 of 2024 instituted for the offences
punishable under Sections 272, 273 and 34 of the Indian Penal
Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 90 liters of illicit
liquor has been recovered from the house of the co-accused Jay
Kumar Yadav.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to dirty village politics.
He has no any concern with the alleged recovery. Neither the



petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession. The other co-accused namely, Jay Kumar Yadav has already been granted bail by this Court vide order dated 28.03.2024 passed in Cr. Misc. No. 24779 of 2024. Petitioner is languishing in judicial custody since 11.02.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with Madhwapur P.S. Case No.04 of 2024.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on



bail on above conditions and he shall be present physically on
each and every date before the Trial Court till conclusion of the
proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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