

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31420 of 2024

Arising Out of PS. Case No.-304 Year-2023 Thana- LAUKAHI District- Madhubani

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Amarjeet Kumar @ Amarjeet Kumar Yadav @ Amarjeet Yadav SON OF
LORIK YADAV Resident of village- Kauriyahi, Ward No.-05, P.S- Laukahi,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Kalyan Shankar

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

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Laukahi
P.S. Case No. 304 of 2023 instituted for the offences punishable
under Sections 272, 273/34 of the Indian Penal Code and 30(a)
of the Bihar Prohibition and Excise Act.

3. As per prosecution case, is short, is that, total 216
liters of Nepali liquor was recovered from a Car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was not apprehended on spot. The name of the
petitioner has come into light on the basis of confessional
statement of co-accused Pappu Kumar, which has no evidentiary



value in the eyes of law. Petitioner is neither the owner nor the driver of the seized vehicle and he has no concern with the alleged recovery of liquor. No incriminating article has been recovered from the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C. has not been followed in this case. Charge-sheet has been submitted in this case. The petitioner is in custody since 18.03.2024 and has four criminal antecedents.

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 as well as 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 Laukahi P.S. Case No. 304 of 2023.

(Rudra Prakash Mishra, J)

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