

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30786 of 2024**

Arising Out of PS. Case No.-21 Year-2024 Thana- JAYNAGAR District- Madhubani

Chandan Kumar Yadav @ Abhishek Kumar, aged about 18 years (Male), son
of Pandav Yadav, R/o- vill- Kuadh, P.S- Jaynagar, Distt- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ravi Prakash, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 11-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Jaynagar
P.S. Case No. 21 of 2024 dated 11.01.2024 for the offences
punishable under Sections 272, 273, 307, 353 and 224/34 of the
I.P.C. and Sections 30(a) and 45 of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, total 198 litres of illicit Saufi
Nepali country made liquor was recovered from the bag tied
with the motorcycle. It is further alleged that the petitioner and
the co-accused persons holding *lathi* got the apprehended person
released from the custody of police and they caused hindrance
in the discharge of official duties of the police personnel.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has no concern with the alleged offence. No incriminating article has been recovered from conscious possession or house of the petitioner. It is further submitted that the petitioner has been made accused in the present case because he happens to be the son of the co-accused Pandav Yadav who was apprehended on the spot. The petitioner is only a member of the mob. There is specific allegation of assault is against the co-accused Varun Yadav who assaulted the police personnel Rahul Kumar on his head with lathi. There is general and omnibus allegation against the petitioner. There is no compliance of Section 100 of the Cr. P.C. It is further submitted that other co-accused person Alok Yadav @ Alok Kumar has been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 25711 of 2024 under order dated 16.04.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 14.02.2024.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of



the case, let the above named petitioner, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Jaynagar P.S. Case No. 21 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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