

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31189 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- KAMTAUL District- Darbhanga

Krishna Kumar Yadav @ Krishna Yadav (Male), Aged about 25 years, Son
Of Binod Kumar Yadav, Resident Of Village- Kamtaul Court Patti, P.S.-
Kamtaul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kamtual
P.S. Case No.77 of 2024 instituted for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise (Amendment)
Act.

3. As per the prosecution case, during search of
petitioner's house total 198 liters of India Made Foreign Liquor
(IMFL) has been recovered from a haystack room.

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 concern with the alleged recovery. Nothing incriminating
article has been recovered from his conscious possession. The



alleged haystack room is joint property of the petitioner’s family.
Petitioner is languishing in judicial custody since 21.03.2024.

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 Special Judge-I (Excise Act), Darbhanga in connection with Kamtual P.S. Case No.77 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 furnishing bail bond with further condition that the petitioner shall remain present physically on each and every date before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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