

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32471 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- BASOPATTI District- Madhubani

Sunil Yadav Son Of Kishundev Yadav Village - Pancharatn, PS- Basopatti,
Dist- 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 : Ms. Asha Devi, APP

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

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. The prosecution case, in short, is that, 86 liters
liquor was recovered from three motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is further



submitted that the petitioner is not named in the F.I.R. Name of the petitioner has transpired on the basis of confessional statement of co-accused Ritesh Kumar which has no evidentiary value. The petitioner is not the owner of any of the seized motorcycles in question. The petitioner is in custody since 19.03.2024 and has got one criminal antecedent in which the petitioner is on bail. There is no compliance of Section 100 of 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Basopatti P.S. Case No. 22 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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