

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35152 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- BABUBARHI District- Madhubani

1. Brahmdev Yadav son of Rajendra Yadav Village- Rauahi Ps- Babubarhi Dist- Madhubani
2. Bhogendra Yadav son of Rajendra Yadav Village- Rauahi Ps- Babubarhi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Babubarhi P.S. Case No. 116 of 2024 dated 22.03.2024 registered for the offences punishable u/ss 272, 273, 414 read with Section 34 of the Indian Penal Code and u/ss 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 52.800 litres of illicit Nepali country made liquor was recovered from the trolley bag loaded on the motorcycle.

4. Learned counsel for the petitioners has submitted



that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not the owner of the said vehicle and they have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no.1 has one criminal antecedent whereas the petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 22.03.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Babubarhi P.S. Case No. 116 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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