

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39152 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- KALUAHI District- Madhubani

Deo Chandra Yadav @Dev Chandra Kumar Son of Bhogi Yadav
@Bhogendra Yadav RESIDENT OF VILLAGE KALIKAPUR P.S
KALUAHI DISTRICT MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv
For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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

ORAL ORDER

3 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kaluahi P.S. Case No. 35 of 2024 registered for the offences punishable u/s 272, 273 and 34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 45 litres of illicit Nepali country made liquor was recovered from the *plastic sack which was kept on the motorcycle.*

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said vehicle and



the same was not being driven by him at the time of the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 01.03.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, 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 learned Court concerned, Madhubani, in connection with Kaluahi P.S. Case No. 35 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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