

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38688 of 2024

Arising Out of PS. Case No.-298 Year-2023 Thana- HARLAKHI District- Madhubani

Vijay Kumar Yadav Son of Ramashish Yadav Resident of Village-
Brahamotra, P.S- Arer , Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

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

ORAL ORDER

2 04-07-2024 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 Harlakhi P.S. Case No. 298 of 2023 dated 09.11.2023 corresponding to G.R. No. 1642 of 2023 registered for the offences punishable u/ss 272, 273 read with Section 34 of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 285 litres of illicit country made liquor was recovered from the three motorcycles.

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 named in the F.I.R. The petitioner is the owner of one of the said vehicles but he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted anticipatory bail by this court vide order dated 18.04.2024 passed in Cr. Misc. No. 27268 of 2024. The petitioner has no criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 02.04.2024.

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 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 Harlakhi P.S. Case No. 298 of 2023 corresponding to G.R. No. 1642 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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