

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44805 of 2024

Arising Out of PS. Case No.-71 Year-2023 Thana- ANDHRAMATH District- Madhubani

Mukesh Kumar Yadav, aged about 45 years, Male, S/o Digambar @ Digambar Prasad Yadav @ Satyanarayan Yadav R/o Village-Narahiya Goth, P.S.-Laukahi, Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party : Mr. Parmanand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-07-2024 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 Andhramath P.S. Case No. 71 of 2023 dated 14.05.2023 registered for the offences punishable u/ss 272 and 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 Nepali country made liquor was recovered from the Scorpio.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired in this case only on the basis of secret information. The petitioner is not the owner of



the said vehicle and he has no concern with the alleged recovery. The co-accused person has already been granted anticipatory bail by this Court vide order dated 16.04.2024 passed in Criminal Miscellaneous No. 26731 of 2024. The petitioner has seven criminal antecedents and he is on bail in all the cases as stated in para 3 of the bail petition. The petitioner is in custody since 12.05.2024.

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, Jhanjharpur, Madhubani, in connection with Andhramath P.S. Case No. 71 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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