

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46142 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- SATHI District- West Champaran

Nand Kishore Yadav Son of Sri Lal Bahadur Yadav Resident of village -
Basantpur, P.S.- Sathi, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Sathi P.S. Case No. 88 of 2024 dated 12-05-2024, instituted for
the offence punishable under Sections 272 and 273 of the IPC
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 50 liters of country
made liquor from the bank of Sikrahna river. It is alleged that
one person was apprehended at the spot, namely, Bunela Yadav
who disclosed the names of others, including the petitioner, who
succeeded in fleeing away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that the petitioner has been made accused



only on the disclosure of Bunela Yadav. It is submitted that there is no recovery either from the conscious possession of the petitioner or from his house. Further, it is submitted that only on the basis of past history, the petitioner has been made accused in the instant case. Lastly, it has been submitted that seven criminal cases are pending against the petitioner.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender before the learned Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, West Champaran at Bettiah, in connection with Sathi P.S. Case No. 88 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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