

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45347 of 2024

Arising Out of PS. Case No.-145 Year-2020 Thana- CHAKAI District- Jamui

Mithilesh Yadav @ Shiv Kumar @ Mohan Yadav SON OF DWARIKA
YADAV VILLAGE- BARIBAG (JALJOGA) PS- KHAIRA DIST- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Raj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2024 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 272 and 273 of Indian Penal Code and Sections 30 (a) and 41 of Bihar Prohibition and Excise Act.

3. It is alleged that 72 liters of foreign liquor was recovered from the vehicle in question and this petitioner is alleged to be the driver of the same who fled away from the spot and one co-accused *Chandan Kumar* was apprehended and disclosed the name of the petitioner.

4. It is submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner transpired on confessional statement of co-accused



Chandan Kumar who was apprehended on spot. Petitioner is neither owner nor driver of the vehicle in question . No incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Petitioner has got one criminal antecedent of similar nature in which he is on bail.

5. Learned counsel for the State opposes the bail petition.

6. Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Excise Court, Jamui in connection with Chakai Police Station Case No. 145 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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