

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60080 of 2024

Arising Out of PS. Case No.-570 Year-2023 Thana- Excise P.S. District- Madhepura

Rajesh Kumar Son of Shivjee Yadav @ Khattar Yadav Resident of village -
Bhatrandha, Ward No.- 4, P.S.- Parmanandpur O.P., District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Madhepura Excise P.S. Case No. 570 of 2023 related to Excise
Case No. 09 of 2024 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case related to recovery of 250.125
liters of illicit liquor from a vehicle and the petitioner was
arrested by the police on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. It is further submitted that
nothing incriminating has been recovered from the conscious
possession of the petitioner and he has no concern with the
seized illicit liquor. Moreover, he is languishing in judicial
custody since 24.06.2024. Similarly situated co-accused person,
namely, Raj Kumar Yadav has already been granted bail by co-



ordinate Bench of this Court in Cr. Misc. No. 83431 of 2023
vide order dated 04.01.2024 and Cr. Misc. No. 26195 of 2024
vide order dated 12.03.2024.

5. However, learned APP for the State vehemently
opposed the prayer for regular bail. Heard learned counsel for
the petitioner and learned APP for the State.

6. Considering the aforesaid facts and circumstances
of the case and also similarly situated co-accused person,
namely, Raj Kumar Yadav has already been granted bail by co-
ordinate Bench of this Court in Cr. Misc. No. 83431 of 2023
vide order dated 04.01.2024 and Cr. Misc. No. 26195 of 2024
vide order dated 12.03.2024. let the petitioner, above named, be
released on bail on furnishing bail bonds of Rs. 10,000/- (ten
thousand) with two sureties of the like amount each to the
satisfaction of learned Additional Sessions Judge – VII – cum –
Special Judge, Excise – II, Madhepura in connection with
Madhepura Excise P.S. Case No. 570 of 2023 related to Excise
Case No. 09 of 2024.

(Ramesh Chand Malviya, J)

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