

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74562 of 2023

Arising Out of PS. Case No.-184 Year-2023 Thana- KALUAHI District- Madhubani

Dev Chandra Yadav Son Of Bhogi Yadav Resident Of Village - Kalikapur,
Police Station - Kaluahi, District - Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273/34 of the Indian Penal Code and Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 360 litres of illicit liquor and two motorcycles from orchard of Rampukar Yadav. Petitioner is alleged to be apprehended on spot.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely



been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. He has no concern in any manner from the alleged recovered illicit liquor. It is further submitted that the petitioner was passing through that place at the time of alleged time and he has been arrested merely on the basis of suspicion. Moreover, the petitioner is languishing in judicial custody since 06.09.2023.

In contra, learned A.P.P. appearing for State vehemently opposed the prayer of bail and submitted that petitioner was apprehended on spot.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail, **after framing of charge, if not framed**, on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge II-



cum-Special Judge Excise Act, madhubani in connection with Kaluahi P.S. Case No. 184 of 2023.

The petitioner is directed to deposit a sum of Rs. 5,000/-(Rupees Five Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/-(Rupees Five Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

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