

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77722 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- ANDHRAMATH District- Madhubani

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Arun Yadav @ Arun Kumar Son of Pawan Yadav @ Pawan Kumar Yadav
Village -Phulparas, P.S.- Phulparas, District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Andhramath P.S. Case No. 15 of 2024, giving rise to G.R. No. 64 of 2024, instituted for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 864 liters liquor was recovered from Scorpio car and the petitioner was not apprehended on spot.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submitted that petitioner was not present at the spot and his name has transpired in this case on the basis of disclosure made by the co-accused person who was apprehended on the spot. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 30.08.2024 and has got two criminal antecedents. There is no compliance of Section 100 of Cr.P.C. The co-accused person has already been granted bail by this Bench vide order dated 09.04.2024 passed in Cr. Misc. No. 27869 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Andhramath P.S.
Case No. 15 of 2024, giving rise to G.R. No. 64 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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