

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83326 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- BASOPATTI District- Madhubani

Naresh Yadav @ Kari Yadav S/O Dukhi Yadav R/O Village- Mahthaur, P.S-
Basopatti, Distt.- Madhubani.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2024 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, 353/34 of the Indian Penal Code and Sections 30(a), 45 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 108 litres of illicit lliquor has been recovered from a motorcycle bearing Reg. No. BR-07V-0379.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and



has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused, namely, Suraj Kamat before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 19.07.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

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 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 Sessions Judge II-cum-Special Judge, Excise Act, Madhubani in



connection with Basopatti P.S. Case No. 89 of 2023.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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