

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85871 of 2024

Arising Out of PS. Case No.-277 Year-2024 Thana- Excise P.S. District- Madhubani

Chhotu Kumar Yadav S/O Makun Yadav Resident of Village- Kaluahi, P.S-
Kaluahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

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

ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Madhubani Excise P.S. Case No. 277 of 2024 , G.O. No. 2540
of 2024 instituted for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 135 litres
of liquor was recovered from car. The petitioner was
apprehended on the spot.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 09.10.2024 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhubani Excise P.S. Case No. 277 of 2024, G.O. No. 2540 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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