

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70146 of 2025

Arising Out of PS. Case No.-91 Year-2019 Thana- SAHARGHAT District- Madhubani

Ishwar Yadav Son of Jhauili Yadav @ Jhuli Yadav Resident of Village -
Chanpurpatti (Chandrapurpatti) Basaith, Police Station - Benipatti, District -
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Soban Asghar, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. The case of the prosecution is that altogether 318 liters of illicit country made liquor was recovered from a three bikes. It is further alleged that petitioner is the owner of the one bike.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of



this petitioner. He has been framed in this case as he is the owner of the alleged bike. It is also submitted that similar situated co-accused persons have granted bail by a co-ordinate Bench of this Court vide orders dated 15.10.2019 and 03.09.2019 passed in Cr. Misc. Nos. 61580 of 2019 and 50024 of 2025. Moreover, the petitioner is languishing in judicial custody since 06.06.2025 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saharghat P.S. Case No. 91 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Act, Madhubani.

(Ashok Kumar Pandey, J)

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