

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83545 of 2024**

Arising Out of PS. Case No.-25 Year-2024 Thana- LAUKARIA District- West Champaran

Shambhu Yadav Son of Late Ram Sohit Yadav Resident of Village- Rampur,
Mataura Tola, P.S.- Laukariya, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 01-05-2025 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Laukariya P.S. Case No. 25 of 2024, registered for the offences
punishable under Sections 323, 353 and 504 of the Indian Penal
Code and under Sections 30(a) and 45 of the Bihar Prohibition
and Excise Act.

3. The prosecution case is to the effect that the police
came to know about some liquor being kept at Mathura Tola and
on search of the house, they found one girl running away.
However, she was apprehended and 5 litre country made liquor
was recovered from the conscious possession of the said girl,
namely, Nidhi Kumari. On further search the police found that
300 liters of semi manufactured liquor was kept buried in 10



gallons and it was informed by the local people that the father of the said apprehended girl, namely, Shambhu Yadav (petitioner) is involved in manufacturing and selling of the liquor who had escaped.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely because he carries antecedents of similar nature. The learned counsel further submits that the petitioner was neither apprehended at the place of occurrence nor any incriminating material has been recovered from the conscious possession rather the semi manufactured liquor was recovered from nearby the house of the petitioner. The learned counsel lastly submits the petitioner is languishing in jail since 01.10.2024.

5. Petitioner is agreed to deposit a sum of Rs. 10,000.00/- (Rupees Ten Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. Learned APP for the State vehemently opposes the prayer for bail of the petitioner and stated that the petitioner carries five more criminal cases other than the present one but fairly submits on the basis of paragraph no.3 of the bail petition



that the petitioner is on bail in all the pending matters.

7. Considering the aforesaid submissions made by the respective parties and taking into account the fact that the petitioner was not apprehended at the place of the occurrence and semi manufactured liquor was recovered from near the house of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Special Judge, Excise, Bagaha, West Champaran in connection with Laukariya P.S. Case No. 25 of 2024 subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) If the petitioner's involvement is found in similar nature of allegation after his release and in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioner will be liable to the cancelled
by the court concerned.

The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of the aforesaid
amount in the account of Patna High Court Legal Services
Committee.

(Sourendra Pandey, J)

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