

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25741 of 2017

Arising Out of PS.Case No. -115 Year- 2017 Thana -ROHTAS District- SASARAM (ROHTAS)

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Vinay Yadav, S/o Bigan Yadav, Resident of Village- Nayaka Gawon,
Police Station- Amjhor, District- Rohtas.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Pd. Singh, Advocate.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 14-06-2017 Heard Sri Jitendra Pd. Singh, learned counsel for the
petitioner and Sri Nirmal Kumar Sinha, learned A.P.P. for the State.

The petitioner in the present case is seeking regular bail in connection with Rohtas (Amjhor) P.S. Case No. 115 of 2017 for offence registered under Sections 272 and 273/34 of Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner and the allegation is that while he was fleeing away on seeing the Police party, he was arrested while another person fled away. The F.I.R. shows that on secret information from some person, the Police party reached at the place of occurrence and on seeing the Police party two persons, including the present petitioner, started fleeing leaving one plastic bag from which 107 pouches of 200 ML each country made liquor were recovered. He further submits that petitioner has been falsely



implicated in this case and the seizure is not made in accordance with Section 100 Cr.P.C. He further submits that petitioner has no criminal antecedent and is in custody since 30.04.2017.

Learned A.P.P. opposed the prayer for bail.

However, considering the nature of allegation and that the petitioner has no criminal antecedent, let the petitioner Vinay Yadav, on completion of two months (60 days) from the date of his confinement in jail, be released on bail on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Rohtas at Sasaram in connection with Rohtas (Amjhor) P.S. Case No. 115 of 2017, subject to the condition under Section 437 (3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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