

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50681 of 2017

Arising Out of PS.Case No. -105 Year- 2017 Thana -MAGADH UNIVERSITY District- GAYA

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Yogendra Yadav Son of Parsadi Yadav Resident of Village-Bhola Bigha,
P.S.-Magadh University, Dist.-Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bibhuti Narayan, Advocate.

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
03.09.2017 in a case for the offence registered under Sections
30(a) and (d) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the police
recovered 855 Kg. of Mahua flower from the house of co-accused
Shambhu Yadav.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. 855 Kg. of Mahua flowers are said to have been
recovered from the house of co-accused Shambhu Yadav. It is



submitted that no intoxicant is said to have been recovered from conscious possession of the petitioner. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Special Judge, Excise, Gaya, in connection with Magadh Vishwavidyalay P.S. Case No. 105 of 2017.

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(Sudhir Singh, J)

