

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.13161 of 2018**

Arising Out of PS.Case No. -607 Year- 2017 Thana -TURKAULIYA District-  
EASTCHAMPARAN(MOTIHARI)

=====

Bodha Yadav @ Bodha Rai, Son of Late Rijhan Rai, resident of village –  
Laxmipur Gadariya, P.S.-Turkauliya, District-East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s :Mr. Abhishek Kumar @ Sonu Babu, Advocate.  
Miss Rashmi Jha, Advocate.

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

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA**  
**JAISWAL**  
**ORAL ORDER**

2      07-03-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in Turkauliya P.S. Case No.  
607 of 2017 registered under Sections 272 and 273/34 of the  
Indian Penal Code and Section 30(a) of the Bihar Prohibition and  
Excise Act, 2016

70 litres of spirit is said to have been recovered from  
the motorcycle of the petitioner and the petitioner and one other  
co-accused, namely, Ganesh Rai managed to escape leaving the  
aforesaid motorcycle.

It is submitted by learned counsel for the petitioner  
that no incriminating article has been recovered from the  
conscious physical possession of the petitioner. He has no concern



either with the aforesaid motorcycle or with the seized liquor. He has been falsely implicated in the case at the instance of his enemies. He has no criminal antecedent. He has been languishing in custody since 26.12.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 learned Special Judge, Excise, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 607 of 2017.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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