

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22414 of 2018

Arising Out of PS.Case No. -539 Year- 2017 Thana -MASAURHI District- PATNA

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Rudal Yadav, S/o Ramanuj yadav aged About 32 Years, Resident of
Village- Badroi, P.S.- Masaurhi, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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

2 17-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Masaurhi P.S. Case No.
539 of 2017 registered under Section 290 of the Indian Penal
Code, Section 30(a) of the Bihar Prohibition and Excise Act, 2016
and Sections 2, 3 and 4 of the Bihar Excise (Mahua Flower) Rules,
2006..

50 litres of country made liquor is said to have been
recovered from the bank of Morhar river and several accused
persons present there managed to escape. Locals divulged the
name of 26 accused persons including the petitioner in the
occurrence.

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 seized liquor or with the place of recovery. He was not apprehended on the spot. Identification and genuiness of the source of information has not been mentioned in the F.I.R. Though two more cases have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 27.11.2017.

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, Patna in connection with Masaurhi P.S. Case No. 539 of 2017.

(Prakash Chandra Jaiswal, J)

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