

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12270 of 2018

Arising Out of PS.Case No. -13 Year- 2018 Thana -BAUSI District- PURNIA

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1. Rajesh Kumar Yadav, Son of Late Fokai Yadav, Resident of Village-
Tulasiya, Police Station- Bihariganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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

ORAL ORDER

03 11-04-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in Special Excise P.S. Case
No.47 of 2018 registered under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

37.980 liters of foreign liquor is said to have been
recovered from the Tata Safari vehicle and petitioner who happens
to be driver of the said vehicle was apprehended.

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 happens to be
driver of the vehicle in question and had no knowledge of keeping
the said liquor in the vehicle by the commuter who managed to



escape seeing the police party. He has been falsely implicated in this case. Though one case under Section 302/34 of the Indian Penal Code and allied section is pending against the petitioner but he is on bail in the said case.

In the facts and circumstances of the case, 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 3rd Additional Sessions Judge-cum-Special Judge Excise-cum-Special Judge (Excise), Purnea in connection with Special Excise Case No.47 of 2018, arising out of Baisi P.S. Case No.13 of 2018.

(Prakash Chandra Jaiswal, J)

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