

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20690 of 2018

Arising Out of PS.Case No. -62 Year- 2018 Thana -SAUR BAZAR District- SAHARSA

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Raj Kumar Yadav, S/o Kulendra Yadav, resident of Village- Laxminiya
(Kant), P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pawan Kumar, Advocate.

For the Opposite Party/s : Mr. Sakir Ahmad, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 16-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Special (Excise) Case
No. 59 of 2018 arising out of Sour Bazar (Patarghat O.P.) P.S.
Case No. 62 of 2018 registered under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

117 litres of foreign liquor is said to have been
recovered from the Sumo car and the petitioner was apprehended
during escaping from the said car while one other accused
managed to escape.

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 aforesaid vehicle. He was commuter of the said vehicle and he had no knowledge of keeping of the aforesaid liquor in the said vehicle. Though the petitioner has been implicated in two more cases under Excise Act on confession, but he is on bail in the aforesaid cases. He has been languishing in custody since 04.02.2018.

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 Additional Sessions Judge-II cum Special Judge, Saharsa in connection with Special (Excise) Case No. 59 of 2018 arising out of Sour Bazar (Patarghat O.P.) P.S. Case No. 62 of 2018.

(Prakash Chandra Jaiswal, J)

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