

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23318 of 2018

Arising Out of PS.Case No. -125 Year- 2018 Thana -BODHGAYA District- GAYA

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1. Binod Mandal, Son of Rambriksh Mandal, Resident of Village-
Sonhathu, P.S.-Gurua, District-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

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

ORAL ORDER

02 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30 (d) of the Bihar Prohibition
and Excise Act, 2016.

500 kgs. of Mahua flower is said to have been
recovered from a tempo and its driver Gaya Yadav and petitioner
were 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 has been
falsely implicated in this case. He has no concern with the seized
Mahua flower. He happens to be simple commuter of the said



vehicle and had no knowledge of carrying of the said article in the said tempo by its driver. The seizure list also does not bear his signature. He has no criminal antecedent and has been languishing in custody since 28.02.2018.

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 Special Judge Excise, Gaya in connection with Bodh Gaya (Cherki) P.S. Case No.125 of 2018.

(Prakash Chandra Jaiswal, J)

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