

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.25883 of 2018**

Arising Out of PS.Case No. -393 Year- 2017 Thana -JAYNAGAR District- MADHUBANI

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Ram Akbal Yadav, S/o Visho Yadav @ Bisheshwar Yadav, R/o Vill.-  
Padma Lagaddi, P.S.- Ladaniya , District- Madhubani.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Bimal Kumar, Advocate.

For the State : Smt. Veena Rani Prasadd, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      03-05-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since  
20.02.2018 in a case for the offence registered under Sections 272,  
273 of the Indian Penal Code and 30(a) of the Bihar Prohibition  
and Excise Act, 2016.

The prosecution story, in brief, is that total 312 liters  
wine is said to have been recovered.

It has been submitted by learned counsel for the  
petitioner that the petitioner has falsely been implicated in the  
present case. Charge sheet/prosecution report has been submitted  
in the present case. There is no allegation of tampering with the  
witnesses alleged against the petitioner. It is alleged that total 312



liters wine is recovered from the car in question. The car in question does not belong to the petitioner. The name of the petitioner has come on the basis of disclosure made by co-accused Dipak Kumar Singh and Pramod Kumar Singh. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani, in connection with Jay Nagar P.S. Case No. 393 of 2017.

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**(Sudhir Singh, J)**

