

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27089 of 2018

Arising Out of PS.Case No. -119 Year- 2018 Thana -BUXAR District- BUXAR

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1. Hemant Kumar Yadav S/o Bashith Yadav, R/o Vill.- Budhanpurwa, P.S.-
Buxar (T), District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey

For the Opposite Party/s : Mr. Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 03-05-2018

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 (a) & 37 (c) of the Bihar
Prohibition and Excise Act, 2016.

25.92 liters of foreign liquor is said to have been
recovered from the vehicle of the petitioner parked on the open
land of the house of Kishun Yadav.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. Though he
happens to be owner of the said vehicle but the said vehicle was
parked on the open place and it was unlocked as the lock of the



said vehicle had become defunct. He had no knowledge of keeping of the liquor in the vehicle by someone in order to falsely implicate him in the case. He has no concern with the seized liquor. He has no criminal antecedent and has been languishing in custody since 17.03.2018.

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 Additional District & Sessions Judge-II-cum-Special Judge Excise Act, Buxar in connection with Buxar (T) P.S. Case No.119 of 2018.

(Prakash Chandra Jaiswal, J)

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