

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34843 of 2018

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1. Chandan Yadav, S/o- Fulchand Yadav
2. Santosh Yadav, S/o- Mahabir Yadav.
Both resident of village – 32 Birhut, P.S. Cherki, District – Gaya.
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar
For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 21-06-2018 Heard learned counsel for the petitioners and learned APP for the State.

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

100 kgs. of Mahua flower and 20 liters of country-made liquor are said to have been recovered from the joint possession of the petitioners being transported on motorcycle.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. They have no concern with the seized articles. They have been falsely implicated in this case at the instance of their enemy by planting the aforesaid recovery from their possession. Moreover, it is not possible to



transport such huge quantity of Mahua flower and wine on the motorcycle. They have no criminal antecedent and have been languishing in custody since 25.04.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Gaya in connection with Sherghati P.S. Case No. 217 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/Sanjeev

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