

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34584 of 2018**

Arising Out of PS.Case No. -163 Year- 2018 Thana -JAYNAGAR District- MADHUBANI

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Sudhir Kumar Yadav, Son of Ramashish Yadav, Resident of Village-  
Kamlabad (Pipra Tole), P.S.- Jaynagar, District- Madhubani.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Dinesh Singh

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

ORAL ORDER

2      21-06-2018                      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 Sections 272 and 273/34 of the Indian  
Penal Code and Section 30(a) of the Bihar Prohibition and Excise  
Act, 2016.

300 litres of Nepali wine is said to have been  
recovered from the Tata Magic vehicle and its driver namely  
Pandav Kumar Yadav and the petitioner sitting in the said vehicle  
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 no concern



either with the seized liquor or with the vehicle in question. He happens to be simple commuter and was travelling in the said vehicle taking lift from its driver without knowledge of keeping of the said liquor in it. He has no criminal antecedent. He has been languishing in custody since 06.04.2018.

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 Addl. District and Sessions Judge-II cum Special Judge, Excise Act, Madhubani in connection with G.R. No. 424 of 2018 arising out of Jaynagar P.S. Case No. 163 of 2018.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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