

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38316 of 2018

Arising Out of PS. Case No.-73 Year-2018 Thana- FULKAHA District- Araria

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Rakesh Kumar Yadav, S/o Ragonandan Yadav @ Ramnandan Yadav @
Raghunand Yadav, R/o Bhanghi, Ward No -1, Hanuman Nagar, P.S.- Fulkaha,
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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

ORAL ORDER

2 02-07-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Fulkaha P.S. Case No. 73 of 2018 registered under Sections
30(a), 36 and 38 of Bihar Prohibition & Excise Act-2016.

21 lts. of Nepali Saufi wine is said to have been
recovered from possession of petitioner while he was
proceeding on motorcycle and he was apprehended.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
conscious physical possession of the petitioner. He has no
concern with the seized liquor. As a matter of fact, he has been
falsely implicated in this case by the police by planting the



aforesaid recovery from his possession merely due to altercation between them as the petitioner was proceeding on motorcycle without wearing helmet. He has no criminal antecedent. He has been languishing in custody since 24.04.2018.

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 2nd Addl. Sessions Judge-cum-Spl-Judge, Araria in connection with Fulkaha P.S. Case No. 73 of 2018.

(Prakash Chandra Jaiswal, J)

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