

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46405 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- FULKAHA District- Araria

Mithilesh Kumar Yadav @ Mithun, Son of Nityanand Yadav, resident of Village Thalha (Mathura Uttar), Ward No. 14, P.S. Narpatgan, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha
For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Fulkaha P.S. Case no. 77 of 2018 registered for the offence punishable under Sections 30 (a), 36 and 38 of Bihar Prohibition and Excise Act, 2016.

24.6 lts. of Nepali Saufi wine is said to have been recovered from two motorcycles, one of the petitioner and another of Dharmendra Kumar Yadav and they were 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. He has been falsely implicated in this at the instance of his enemy by planting the aforesaid recovery from his possession. He has no criminal antecedent. He has been languishing in custody since 06.05.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged 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 Additional Sessions Judge-II-cum-Special Judge, Araria in connection with Fulkaha P.S. Case no. 77 of 2018.

(Prakash Chandra Jaiswal, J)

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