

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41422 of 2018

Arising Out of PS.Case No. -285 Year- 2018 Thana -SHERGHATI District- GAYA

=====

Upendra Kumar Yadav, S/o Arjun Yadav, Resident of Vill/Mohalla-
Satgarbha, P.S.- Hanterganj, Dist- Chatra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kiran Sinha

For the Opposite Party/s : Mr. Ram Bachan Singh

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 25-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 414/34 of the Indian Penal Code
and Section 30(d) of the Bihar Prohibition and Excise Act, 2016.

500 kg of Mahua flower is said to have been
recovered from the Maruti Omni Car and its driver managed to
escape while the petitioner who is said to be owner of the said car
was 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 article or with the vehicle in question. He



happens to be simple commuter and was travelling in the aforesaid vehicle taking lift from its driver without knowing keeping of the seized article in the bag in the aforesaid car. He has been falsely implicated in the case. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 26.05.2018.

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 Special Judge, Excise, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 285 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

