

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41784 of 2018

Arising Out of PS.Case No. -163 Year- 2018 Thana -PIRO District- BHOJPUR

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Ashok Yadav, Son of Late Satyanarayan Yadav @ Late Satyanarayan Singh, R/o Village – Hari Tola, P.S.-Piro, District-Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 12-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 30(a), 47 and 37(b) of the Bihar Prohibition and Excise Act, 2016.

16.38 litres of foreign liquor is said to have been recovered from the Maruti 800 car and the petitioner and one other accused managed to escape while co-accused namely Dhiraj Kumar sitting in the said car was apprehended who disclosed the name of the petitioner as one of his fleeing accomplices.

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



was not apprehended on the spot. He has been falsely implicated in the case by the said Dhiraj Kumar due to animosity. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 19.05.2018.

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 Addl. District and Sessions Judge-IV cum Special Judge, Excise, Bhojpur at Ara in connection with Excise Case No. 844 of 2018 arising out of Piro P.S. Case No. 163 of 2018.

(Prakash Chandra Jaiswal, J)

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