

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41791 of 2018

Arising Out of PS.Case No. -188 Year- 2017 Thana -LAUKHA District- MADHUBANI

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Maheshwar Yadav, Son of Kishun Lal Yadav, Resident of village –
Pathrahi, P.S.-Laukaha, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate.
Smt. Nitu Kumari No.7, Advocate.

For the Opposite Party/s : Mr. Arun Kumar, APP.

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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 272, 273 and 414 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

2.700 litres of foreign liquor is said to have been
recovered from the motorcycle and two accused persons namely
Santosh Sah and Sunny Mahto were apprehended who disclosed
the name of the petitioner as the purchaser of the said liquor.

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



with the seized liquor. He has been falsely implicated in the case by the apprehended accused persons due to animosity. He was not apprehended on the spot. Though two more cases under Excise Act have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 21.05.2018.

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-II cum Special Judge, Excise Act, Madhubani in connection with Laukaha P.S. Case No. 188 of 2017, G.R. No. 444 of 2017.

(Prakash Chandra Jaiswal, J)

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