

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43969 of 2018

Arising Out of PS. Case No.-395 Year-2018 Thana- BARACHATTI District- Gaya

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Dharmendra Yadav S/o Rameshwar Yadav, R/o Vill.- Nawadih, P.S.-
Barachatti (Mohanpur), District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP 240

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

ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with
Barachatti (Mohanpur) P.S. Case No. 395 of 2018 registered
under Section 30(D) of the Bihar Prohibition and Excise Act,
2016.

Forty kilogram of mahua flower is said to have
been recovered from the motorcycle of the petitioner and the
petitioner was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious possession of the petitioner and the petitioner has no
concerned with the seized article. He has been falsely



implicated in the case at the instance of his enemies by planting aforesaid recovery from his possession. There is violation of Section 100 of the Criminal Procedure Code. He has no criminal antecedent. He has been languishing in custody since 15.06.2018.

Considering the facts, aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Barachatti (Mohanpur) P.S. Case No. 395 of 2018 to the satisfaction of the Special Excise Judge, Gaya.

(Prakash Chandra Jaiswal, J)

Shamshad/-

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