

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46461 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -PAHARPUR District- EASTCHAMPARAN
(MOTIHARI)

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Munni Lal Yadav @ Muni Lal Yadav, Son of Late Gajadhar Yadav,
resident of village – Gadhiyani, P.O. and P.S.-Paharpur, District-East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Madan Kumar

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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.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code and Sections 30(a), 33, 34 and 36 of the Bihar Prohibition
and Excise Act, 2016.

50 litres of spirit is said to have been recovered from
the possession of co-accused Vishal Kumar and he was
apprehended while one other accused Saheb Yadav managed to
escape dumping the one drum of spirit containing 50 litres seeing
the police party and the petitioner was named in the occurrence by
the apprehended accused.

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 any trade of liquor. He has been falsely implicated in the case by the apprehended accused due to animosity. Barring the aforesaid disclosure made by the apprehended accused, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 20.06.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 7th Addl. Sessions Judge cum Special Judge, Excise, East Champaran, Motihari in connection with Paharpur P.S. Case No. 16 of 2018.

(Prakash Chandra Jaiswal, J)

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