

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48234 of 2018

Arising Out of PS.Case No. -334 Year- 2018 Thana -SIWAN MUFFASIL District- SIWAN

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1. Raju Yadav, Son of Madan Yadav, Resident of Village- Paigambarpur,
Police Station- Siwan Muffasil (Dhanauti O.P.), District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Shyam Bihari Singh

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

ORAL ORDER

02 07-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 272 & 273 of the Indian Penal Code and Sections 30 (a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

120.960 liters of foreign liquor is said to have been recovered from the bush situated towards south of the school in village Bhatwalia and the petitioner was apprehended while four other co-accused managed to escape.

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



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with the seized liquor or the place of recovery. The place of recovery is an open place and easily accessible to anyone. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. He has no criminal antecedent and has been languishing in custody since 13.06.2018.

In the facts and circumstances of the case, 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 Additional Sessions Judge-II-cum-Special Judge Excise, Siwan in connection with Siwan, Muffasil P.S. Case No. 334 of 2018.

(Prakash Chandra Jaiswal, J)

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