

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48692 of 2018

Arising Out of PS.Case No. -116 Year- 2018 Thana -BIRPUR District- SUPAUL

=====

RAKESH KUMAR YADAV @ RAKESH KUMAR, Son of Sri Narayan
Yadav, Resident of Village- Lahi, Ward No.1, Police Station- Bhantawari,
District- Sunsari (Nepal).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Naresh Kumar Mehta

For the Opposite Party/s : Mr. Anand Kishore Choudhary

=====

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

2 09-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 414 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

15.945 litres of foreign liquor is said to have been
recovered from the motorcycle of the petitioner and the petitioner
was apprehended while 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 with the seized liquor or with the motorcycle in question.



He has been falsely implicated in the case at the instance of his enemies by planting aforesaid recovery from the motorcycle alleging the same hailing to the petitioner. He has no criminal antecedent. He has been languishing in custody since 08.05.2018.

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 2nd Addl. District and Sessions Judge cum Special Judge, Excise Act, Supaul in connection with S.T. Excise Case No. 358 of 2018 arising out of Birpur P.S. Case No. 116 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

