

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47818 of 2018

Arising Out of PS.Case No. -52 Year- 2018 Thana -MANSI District- KHAGARIA

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Pandav Yadav, son of Ramakant Yadav, resident of village- Thatha, P.S.
Mansi, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Sumiran Rai, Adv.

For the Opposite Party : Mr. Suresh Prasad Singh, A.P.P. - 230

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

ORAL ORDER

2 06-08-2018 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 Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

139.125 liters of foreign liquor is said to have been
recovered from the Bolero vehicle which was parked at the door of
the petitioner and the petitioner 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 the vehicle in question. There is violation
of Section 100 Cr.P.C. He has been falsely implicated in this case
by the police merely on suspicion because the liquor was seized



from the vehicle which was parked at his door. He was not apprehended at the spot. Though one more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 29.05.2018.

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-1st-cum-Special Judge Excise, Khagaria in connection with Mansi P.S. Case No. 52 of 2018.

(Prakash Chandra Jaiswal, J)

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