

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50700 of 2018

Arising Out of PS.Case No. -230 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
JAMUI

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Butesh Yadav, Son of Yaduvir Yadav, Resident of Village- Kanp, Police
Station- Saur Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 18-08-2018 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.

194.4 litres of foreign liquor is said to have been
recovered from the Tata Sumo and petitioner was apprehended.

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 vehicle in question. He has
been falsely implicated in the case by the Personnel of Excise



Department merely on suspicion while he was taking tea on the tea-stall near the place of occurrence and the real culprit managed to escape leaving liquor laden vehicle there seeing the Personnel of Excise Department. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 17.07.2018.

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 Court of learned Additional District & Sessions Judge-II, Jamui in connection with Complaint Case No. 230 C2 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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