

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50317 of 2018**

Arising Out of PS.Case No. -449 Year- 2018 Thana -BARACHATTI District- GAYA

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Bindeshwar Kumar, Son of Shankar Yadav, resident of village – Ahiyapur,  
P.S.-Barachatti (Mohanpur), District – Gaya.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Smt. Gulnar Begam

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

2      16-08-2018                      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 30(d) of the Bihar Prohibition  
and Excise Act, 2016.

40 Kg of Mahua flower is said to have been  
recovered from the motorcycle of the petitioner and the 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 article or vehicle in question. He has been  
falsely implicated in the case by the police merely on suspicion  
while he was passing through the place of occurrence at the time



of occurrence. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 10.07.2018.

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 learned Special Judge, Excise, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 449 of 2018.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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