

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52663 of 2018

Arising Out of PS.Case No. -205 Year- 2018 Thana -SIRDALA District- NAWADA

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Mathura Yadav @ Mathura Prasad, Son of Late Brahmddeo Prasad, Resident
of village – Narnaryanpur, P.S.-Sirdalla, District – Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 27-08-2018 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.

50 litres of country made liquor is said to have been
recovered from the motorcycle and the petitioner was apprehended
in the course of escaping from the said motorcycle.

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 by the police merely on
suspicion while he was passing through the place of occurrence at



the time of occurrence and the real culprit managed to escape leaving the aforesaid liquor laden motorcycle there seeing the police personnel. He has no criminal antecedent. He has been languishing in custody since 11.07.2018.

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 Addl. District and Sessions Judge-II cum Special Judge, Nawada in connection with Sirdala P.S. Case No. 205 of 2018.

(Prakash Chandra Jaiswal, J)

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