

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65814 of 2018

Arising Out of PS. Case No.-494 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Randhir @ Randhir Kumar @ Randhir Yadav @ Gore Lal Yadav Son of Ram
Narayan Yadav Residents of Village-Adharpur, Police Station Muffasil, Distt.-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh
For the Opposite Party/s : Mr. Ajit Kumar

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

ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Samastipur Muffasil P.S. Case No. 494 of 2018 registered
under Sections 272 and 273 of the Indian Penal Code and
Sections 30(a) and 36 of the Bihar Prohibition and Excise Act,
2016.

37 litres of foreign liquor is said to have been
recovered from the courtyard of Umesh Yadav who has
disclosed that the petitioner had given him the aforesaid liquor
for vending.

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 Umesh Yadav or with the seized liquor or with any trade of liquor. He has been falsely implicated in the case by Umesh Yadav due to animosity. Barring the aforesaid disclosure, there is nothing in the record indicating the complicity of the petitioner in the occurrence.

Learned APP for the State opposed the prayer for bail.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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. Session Judge 6th cum Special Judge, Excise Act, Samastipur in connection with Samastipur Muffasil P.S. Case No. 494 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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