

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45016 of 2018

Arising Out of PS.Case No. -225 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

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1. Binod Yadav, Son of Late Kameshwar Prasad Yadav, @ Late Kameshwar Yadav, Resident of Village- Chitarkali, P.S.- Rajauli, District- Nawada.

.... Petitioner/s

Versus

1. 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. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

4 31-07-2018 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.

190 liters of country made liquor is said to have been recovered from the Nano Car and petitioner sitting on the back seat of the said car 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 the vehicle in question. He has been



falsely implicated in this case by the police merely on suspicion. He was a simple commuter and was travelling by the said car taking lift from its driver without knowing keeping of liquor in the car. Driver of the said car managed to escape leaving the liquor laden car there seeing the personnel of the Excise Department. There is violation of Section 100 Cr.P.C. Though one more case under Excise Act has been lodged against the petitioner but he is on bail in the aforesaid case. He has been languishing in custody since 16.06.2018.

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 District and Sessions Judge-II-cum-Special Judge Excise Act, Nawada in connection with G.O. Case No. 225 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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