

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52356 of 2018

Arising Out of PS. Case No.-71 Year-2018 Thana- KORANSARAI District- Buxar

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Jamidar Yadav @ Jamidar Singh S/o Ram Kishun Yadav, R/o Vill.- Nawadih,
P.S.- Koran Sarai, District- Buxar.

... .. 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. Manoj Kumar

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

ORAL ORDER

6 31-08-2018 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Koransarai P.S. Case No. 71 of 2018 registered for the offence

Section 30(a) of Bihar Prohibition and Excise Act, 2016.

8 lts. of foreign liquor is said to have been

recovered from straw house of the petitioner located beside his

house and 492 lts. of foreign liquor from his field.

It is submitted by learned counsel for the petitioner

that no incriminating article has been recovered from conscious

physical possession of the petitioner. He has no concern either

with the seized liquor or with any trade of liquor. The aforesaid

straw house of the petitioner is not located inside the house



rather outside his house and it is open. Likewise, the filed of the petitioner is open place and he had no knowledge of keeping of liquor at the aforesaid places. He has been falsely implicated in the case at the instance of his enemy. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 21.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District Judge-II-cum-Special Judge, Excise Act, Buxar in connection with Koransarai P.S. Case No. 71 of 2018.

(Prakash Chandra Jaiswal, J)

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