

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7890 of 2018

Arising Out of PS. Case No.-374 Year-2015 Thana- GAYA MUFFSIL District- Gaya

Surendra Yadav, son of Shiv Barat Yadav, resident of Village- Kaiya, P.S. Muffasil, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Mr. Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 15-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Muffasil P.S. Case No. 374 of 2015 registered under Sections 272, 273 of the Indian Penal Code and Section 47(A) of Bihar Prohibition and Excise Act-2016.

350 lts. of country made liquor and some utensils are said to have been recovered from the furnace of the petitioner (Surendra Yadav) and Sudhir Das but aforesaid accused persons managed to escape.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his conscious physical possession. The petitioner has been falsely implicated



in the case. He has no concern either with the place of occurrence or with the seized liquor. He has no criminal antecedent. He has been languishing in custody since 22.12.2017. Similarly situated co-accused namely, Sudhir Das has been enlarged on bail vide order dated 20.07.2017 passed in Cr. Misc. no. 33576 of 2017 by a co-ordinate Bench of this Court.

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 Spl. Excise Judge, Gaya in connection with Muffasil P.S. Case No. 374 of 2015.

(Prakash Chandra Jaiswal, J)

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