

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35500 of 2018

Arising Out of PS.Case No. -64 Year- 2018 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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1. Mokhatar Yadav Son of Late Ramashray Yadav resident of village
Domahata Semrahi, P.S. Yadopur, District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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

02 28-06-2018 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 Sections 272 & 273/34 of the Indian Penal Code and Section 30 (a), 33,36 of the Bihar Prohibition and Excise Act, 2016.

575.86 liters of foreign liquor is said to have been recovered from the bank of the river and co-accused, namely, Ramashankar Sahani was apprehended who disclosed the name of the petitioner as a delivery man of the said liquor.

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 place of recovery. He was not apprehended on the spot. He has been falsely implicated in this case by the co-accused Ramashankar Sahani due to animosity. He has no criminal antecedent and has been languishing in custody since 26.03.2018.

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 4th Additional Sessions Judge-cum-Special Judge, East Champaran, Motihari in connection with Govindganj P.S. Case No. 64 of 2018.

(Prakash Chandra Jaiswal, J)

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