

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47492 of 2018

Arising Out of PS. Case No.-382 Year-2018 Thana- NARPATGANJ District- Araria

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Anil Kumar Yadav Son of Suresh Yadav, resident of Village- Posda, P.S. Fulkaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha
For the Opposite Party/s : Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Narpatganj (Bathnaha) P.S. Case No. 382 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

36 lts. of Nepali Saufi wine is said to have been recovered from motorcycle of the petitioner and he was apprehended.

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 with the seized liquor. He has been falsely implicated in this case by



the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid liquor there seeing the police personnel. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 25.06.2018.

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. Sessions Judge-II-Cum-Special Judge, Excise, Act, Araria in connection with Narpatganj (Bathnaha) P.S. Case No. 382 of 2018.

(Prakash Chandra Jaiswal, J)

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