

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49800 of 2018

Arising Out of PS.Case No. -62 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Ajay Yadav, Son of Late Gaya Yadav, R/o village- Ahwar Shiekh,
Khajurbari Tola, P.S- Majhauria, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 13-08-2018 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 30 A and 30 (D) of the Bihar Prohibition and Excise Act, 2016.

45 liters of spirit and 268 pieces of the wrapper are said to have been recovered from maize and wheat field of the petitioner and one Surendra Yadav being concealed there by the petitioner and two other accused persons who managed to escape seeing the police personnel.

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



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with the seized liquor or the place of recovery or any trade of liquor. The place of recovery is an open place and easily accessible to anyone. Petitioner was not apprehended at the spot. He has been falsely implicated in this case at the instance of his enemy. He has no criminal antecedent and has been languishing in custody since 13.04.2018.

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 Special Judge Excise, Bettiah, West Champaran in connection with Majhulia P.S. Case No. 62 of 2017.

(Prakash Chandra Jaiswal, J)

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