

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47600 of 2018

Arising Out of PS.Case No. -197 Year- 2018 Thana -JAYNAGAR District- MADHUBANI

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Shambhu Yadav, S/o Sri Arbind Kumar Yadav, resident of Village- Terha,
P.S.- Jaynagar, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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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.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273/34 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

603 litres of Nepali liquor is said to have been
recovered from the Maruti car and petitioner and its trafficker
managed to escape taking the benefit of murk.

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 vehicle in question or any trade



of liquor. He has been falsely remanded in this case from Jaynagar P.S. Case No. 201 of 2018 blaming him as smuggler of the liquor and he has been enlarged on bail in the aforesaid case by the learned lower court. He was not apprehended on the spot. He has been languishing in custody since 15.05.2018.

Considering the facts aforesaid, 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 Addl. District and Sessions Judge-II cum Special Judge, Excise Act, Madhubani in connection with Jaynagar P.S. Case No. 197 of 2018.

(Prakash Chandra Jaiswal, J)

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