

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50298 of 2018

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

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Shankar Yadav son of Ramanand Yadav resident of village - Bhorhar Ward
No. 13, P.S. - Phulkaha, District - Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kuldeep Kumar, Adv.

For the Opposite Party : Mr. Gauri Shankar Gupta, APP.

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

ORAL ORDER

2 14-08-2018 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 Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

36 liters of Nepali liquor is said to have been recovered
from the motorcycle of the Anil Kumar Yadav and he was
apprehended who named the petitioner in the occurrence.

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 with the
seized liquor. He has been falsely named in this case by the
apprehended accused due to animosity. There is nothing on record
to indicate the complicity of the petitioner in the occurrence



barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. The petitioner was not apprehended at the spot. He has no criminal antecedent and has been languishing in custody since 10.07.2018.

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

(Prakash Chandra Jaiswal, J)

Trivedi/R.Ranjan-

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