

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50156 of 2018**

Arising Out of PS.Case No. -121 Year- 2018 Thana -BARGANIA District- SITAMARHI

=====

Madhurendra Kumar Yadava, Son of Rambodh Ray, R/o Village- Masaha  
Alam, P.S.- Bairstania, District- Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Dashrath Mehta

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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 Sections 272 & 273 of the Indian Penal Code  
and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

36 liters of Nepali saufi wine is said to have been recovered  
from the motorcycle of the petitioner and petitioner was  
apprehended.

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 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 culprit managed to escape dumping the aforesaid liquor there seeing the police personnel. He has no criminal antecedent and has been languishing in custody since 03.06.2018.

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 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge Excise Act, Sitamarhi in connection with Bairgania P.S. Case No. 121 of 2018.

**(Prakash Chandra Jaiswal, J)**

Kr. Uday/-

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