

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52303 of 2018

Arising Out of PS.Case No. -57 Year- 2018 Thana -DEODHA District- MADHUBANI

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Ramlal Yadav @ Gopal Krishn son of Deo Narayan Yadav resident of
Village- Uchhal Tol 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. Gagan Deo Yadav

For the Opposite Party/s : Mr. Kalyan Shankar

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

2 25-08-2018 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.

18 liters of Nepali liquor is said to have been recovered
from the bicycle 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 either
with the seized liquor or the bicycle in question. There is violation
of Section 100 Cr.P.C. He has been falsely implicated in this case
by the police merely on suspicion while he was passing through



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the place of occurrence at the time of occurrence and the real culprit managed to escape dumping the liquor laden bicycle there seeing the police party. Though one more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 17.06.2018.

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 Additional District and Sessions Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Deodha P.S. Case No. 57 of 2018 G.R. No. 846 of 2018.

(Prakash Chandra Jaiswal, J)

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