

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18941 of 2018

Arising Out of PS. Case No.-49 Year-2018 Thana- MADANPURA District- Aurangabad

Jitendra Yadav @ Devendra Yadav S/o Late Yugeshwar Yadav resident of
Village - Padra, P.S. - Madanpur, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Ram Bachan Singh

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

ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Madanpur P.S. Case no. 49 of 2018 registered under Section
30(a) of Bihar Prohibition & Excise Act-2016.

110 lts. of country made liquor is said to have been
recovered from the trolley of the tractor and petitioner who
happens to be driver of the said tractor was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with
the seized liquor. He has been falsely implicated in the case at
the instance of his enemy. He happens to be driver of the said



tractor and was simply carrying the gunny bag in the said tractor at the instruction of its owner without knowing of content of the said bag. He has no criminal antecedent. He has been languishing in custody since 27.02.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Session Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Madanpur P.S. Case no. 49 of 2018.

(Prakash Chandra Jaiswal, J)

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