

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15877 of 2018

Arising Out of PS.Case No. -146 Year- 2017 Thana -LAUKHA District- MADHUBANI

=====

Gajendra Kumar Yadav @ Gajendra Yadav, Son of Late Bisheshwar Yadav, Resident of Village- Dharampur, P.S.- Laukaha, Distt- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate.

For the State : Mr. Umeshnand Pandit, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-05-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 272, 273 of the I.P.C and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 70.200 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 70.200 liters wine is recovered by the side of road. The name of the petitioner has come on the basis of



disclosure made by the local *Chowkidar*. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 2nd Additional District and Sessions Judge-cum-Special Judge, Excise Act, Madhubani, in connection with Laukaha P.S. Case No. 146 of 2017.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

