

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13598 of 2018

Arising Out of PS.Case No. -211 Year- 2017 Thana -OBRA District- AURANGABAD

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Akhilesh Yadav, Son of Baijnath Yadav, Resident of Village- Dhangai,
P.S.- Jamhor, District- Aurangabad (Bihar).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bachan Jee Ojha, Advocate.

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
21.12.2017 in a case for the offence registered under Sections
30(a), 37(b) and 38(i) of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that total 320 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 320 liters wine is recovered from the



car in question. The petitioner is alleged to be the driver of the car in question. The name of the petitioner has come on the basis of alleged recovery made from the car in question. The petitioner had no knowledge regarding the liquor kept in the car. 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 S.D.J.M. Daudnagar, Aurangabad, in connection with Obra P.S. Case No. 211 of 2017.

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(Sudhir Singh, J)

