

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20435 of 2018

Arising Out of PS.Case No. -344 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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Sanjay Yadav S/o Chameli Yadav, R/o Village- Nauranga, P.S.- Muffasil,
District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar, Advocate.

For the Opposite Party/s : Smt. Reena Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 16-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Muffasil P.S. Case No.
344 of 2016 registered under Section 414 of the Indian Penal Code
and Section 47 of the Bihar Prohibition and Excise Act, 2016.

118.56 litres of foreign liquor is said to have been
recovered from the tempo and its driver Deepu Kumar was
apprehended while three accused persons sitting on the tempo
managed to escape. During the course of investigation, it emerged
that the tempo is hailing to the petitioner.

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 happens to be owner of the vehicle and had given the said tempo to Deepu Kumar for plying it and had no knowledge of ferrying the said liquor by him by said tempo. He has no criminal antecedent. He has been languishing in custody since 15.03.2018.

Considering the facts aforesaid, 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 Special Judge, Excise Act, Gaya in connection with Muffasil P.S. Case No. 344 of 2016.

(Prakash Chandra Jaiswal, J)

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