

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7179 of 2018

Arising Out of PS.Case No. -1184 Year- 2017 Thana -SAHARSA District- SAHARSA

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1. Ashok Yadav S/o Surendra Yadav, R/o Village- Dighia, P.s.- Saharsa
(Sadar), District- Saharsa.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Singh

For the Opposite Party/s : Mr. S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Special
(Excise) Case No.531/2017, arising out of Saharsa Sadar P.S. Case
No.1184/2017 registered under Sections 30(a), 38(1) and 41(1) of
Bihar Prohibition and Excise Act, 2016.

1197 liters of foreign liquor is said to have been
recovered from the house of Satrudhan Yadav and co-accused
Basudev Yadav was caught on the spot, who disclosed the name
of the petitioner as owner of the seized liquor.

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 been falsely



implicated in this case due to dirty village politics. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused Basudev Yadav, which has no evidentiary value in the eye of law. The petitioner has no concern with the seized liquor. He has been languishing in custody since 25.11.2017.

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 learned Special Judge, Excise Act, Saharsa, in connection with Special (Excise) Case No. 531 of 2017, arising out of Saharsa Sadar P.S. Case No.1184/2017.

(Prakash Chandra Jaiswal, J)

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