

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47651 of 2018

Arising Out of PS.Case No. -181 Year- 2018 Thana -MAHESI District- EASTCHAMPARAN
(MOTIHARI)

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Yogendra Ram, Son of Late Malhar Ram, resident of village – Kathan
Kanh, P.S.-Mehashi, District-East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Parmanand Prasad

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

ORAL ORDER

2 03-08-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30, 37(a)(b)(c)(d) and 38 of the
Bihar Prohibition and Excise Act, 2016.

20 litres of toddy is said to have been recovered
from the house of the petitioner and the petitioner was
apprehended.

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 toddy. He has been falsely implicated in the case at
the instance of his enemies. The house of the petitioner is



inhabited by several family members and he had no knowledge of keeping of the said toddy in the house. There is violation of Section 100 Cr.P.C. Seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 09.06.2018.

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 7th Addl. Sessions Judge cum Special Excise Judge, East Champaran, Motihari in connection with Mehashi P.S. Case No. 181 of 2018.

(Prakash Chandra Jaiswal, J)

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