

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50536 of 2018

Arising Out of PS.Case No. -81 Year- 2018 Thana -NAGARNAUSA District- NALANDA
(BIHARSHARIFF)

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Rajnandan Yadav, S/o. Banarsi Gope, R/o. Village- Nagarnausa, P.S.
Nagarnausa, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Sharma

For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a), 38(a) and 41 of the Bihar
Prohibition and Excise Act, 2016.

48 litres of country made liquor is said to have been
recovered from the motorcycle of the petitioner and he was
apprehended in the course of escaping while one another accused,
namely, Rudal Ram managed to escape.

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
either with the seized liquor or with the motorcycle in question.



He has been falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. The real culprit managed to escape leaving liquor laden motorcycle there seeing the police personnel. He has no criminal antecedent. He has been languishing in custody since 19.07.2018.

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 6th Additional District & Sessions Judge cum Special Judge, Excise Act, Nalanda at Biharsharif in connection with Nagarnausa P.S. Case No. 81 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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