

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51459 of 2018

Arising Out of PS. Case No.-160 Year-2018 Thana- AMAS District- Gaya

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Akhilesh Yadav, S/o Ganesh Yadav, R/o Vill-Mahd Bishnupur, P.S. Amas,
Distt-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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

ORAL ORDER

2 21-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Amas
P.S. Case No. 160 of 2018 registered for the offence punishable
under Sections 272, 273 of the Indian Penal Code and Section
30 (a) of Bihar Prohibition Excise Act, 2016.

28 lts. of country made liquor is said to have been
recovered from the motorcycle of the petitioner and he was
apprehended while another accused managed to escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or with the motorcycle in question. He



happens to be pillion rider of the said motorcycle and was travelling on it by taking lift from its owner on the way without any knowledge of keeping of liquor in the motorcycle and the owner of the motorcycle managed to escape dumping the aforesaid liquor laden motorcycle there seeing the police personnel. He has no criminal antecedent. He has been languishing in custody since 9.07.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 Special Judge, Excise, Gaya in connection with Amas P.S. Case No. 160 of 2018.

(Prakash Chandra Jaiswal, J)

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