

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52937 of 2018

Arising Out of PS.Case No. -149 Year- 2018 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Hira Yadav, S/o. Late Jangbahadur Yadav, R/o. Village- Dumariya, Naya
Tola, P.S.- Bairiya, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No. 7

For the Opposite Party/s : Mr. Ataur Rahman

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

ORAL ORDER

2 28-08-2018 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 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

65 litres of sprit kept in two jerkins is said to have
been recovered at the place of occurrence being transported by
three accused persons who managed to escape barring 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 spirit. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence while the real culprit managed to escape dumping the aforesaid spirit there seeing the police personnel. He has no criminal antecedent. He has been languishing in custody since 12.05.2018

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, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 149 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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