

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29198 of 2018

Arising Out of PS.Case No. -27 Year- 2018 Thana -GHANSHYAMPUR District- DARBHANGA
=====

Bhagwan Dev Yadav S/o Late Makeswar Yadav, R/o Vill./Mohalla-
Godhail, P.S.- Ghanshyam Pur, Distt.- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Bisheshwar Ram

=====

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

ORAL ORDER

4 02-07-2018 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 272 / 273 of the Indian Penal
Code and Sections 30(a)/38(1) of the Bihar Prohibition and Excise
Act, 2016.

104.25 litres of foreign liquor is said to have been
recovered from the wheat field located at rear side of Bijhara
Mandir in village Godhel and petitioner was apprehended in the
course of escaping from the aforesaid place while another accused
namely Arvind Yadav 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 place of recovery. The place of recovery is open place. 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. He has no criminal antecedent. He has been languishing in custody since 16.03.2018.

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 4th Additional Sessions cum Special 1st Judge, Darbhanga in connection with Ghanshyampur P.S. Case No. 27 of 2018 in G.O. case No. 255 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

