

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2582 of 2018

Arising Out of PS.Case No. -212 Year- 2016 Thana -SAHPUR District- BHOJPUR

=====

Abhinandan Kumar Yadav @ Abhinandan Yadav S/o Ravindra Yadav, R/o
Village- Wajirpur Diyar, P.S.- Kotwali Ballia, District- Ballia (U.P.).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad

=====

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

ORAL ORDER

2 23-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Excise
Case no. 335 of 2017 arising out of Shahpur P.S. Case no. 212
of 2016 registered under Section 47/53 of Bihar Excise
Amendment Act-2016.

About 2000 lts. of foreign liquor is said to have been
recovered from pick up Van (Bolero) and five persons were
apprehended while three managed to escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his
conscious physical possession. The petitioner has no concern
with the seized liquor. Earlier, the vehicle, in question, was
hailing to one Kamlesh Yadav. Though the petitioner had
purchased the said vehicle from him few days preceding to the



occurrence but Kamlesh Yadav had not given the possession of the said vehicle to him till that time. Driver of the vehicle, namely, Arjun Yadav was apprehended at the place of occurrence has also stated that it is the Kamlesh Yadav who had directed him to transport the said liquor. The said Arjun Yadav and other co-accused persons have been enlarged on bail by a different co-ordinate Bench of this Court vide order dated 22.11.2016 passed in Cr. Misc. no. 50082 of 2016, order dated 13.12.2016 passed in Cr. Misc. no. 49940 of 2016, order dated 29.11.2016 passed in Cr. Misc. no. 51183 of 2016 and order dated 14.12.2016 passed in Cr. Misc. no. 49981 of 2016 respectively. The petitioner has been falsely implicated in the case. The petitioner has no criminal antecedent. The petitioner has been languishing in custody since 24.11.2017

Considering 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/- with two sureties of the like amount each to the satisfaction of learned 4th Additional District and Sessions Judge, Bhojpur at Ara in connection with Excise Case no. 335 of 2017 arising out of Shahpur P.S. Case no. 212 of 2016.

(Prakash Chandra Jaiswal, J)

rohit/-

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

