

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8452 of 2018

Arising Out of PS.Case No. -240 Year- 2017 Thana -KHUSRUPUR District- PATNA

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1. Binod Yadav S/o Late Baleshwar Yadav, R/o Village- Bhaganbigha,
P.S.- Bhaganbigha, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Ajeet Kumar

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 16-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Special Case No.7838 of 2017, arising out of Khusrupur P.S. Case No.240 of 2017 registered under Section 420/120-B of the Indian Penal Code and Section 30(a)/38/41 of the Bihar Prohibition and Excise Act, 2016.

18 liters of foreign liquor is said to have been recovered from a Swift Dzire car and the petitioner and one another accused were apprehended sitting in the said car.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner is not the driver or owner of the said vehicle and had no knowledge of



hiding of the liquor in the said vehicle. He has been falsely implicated in this case. One similarly situated accused person, namely, Shashi Kumar has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.7677 of 2018 vide order dated 08.02.2018. He has been languishing in custody since 08.11.2017.

In the facts and circumstances of the case, 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 Act, Patna in connection with Special Case No.7838/2017, arising out of Khusrupur P.S. Case No.240 of 2017.

(Prakash Chandra Jaiswal, J)

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