

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34097 of 2018

Arising Out of PS.Case No. -28 Year- 2018 Thana -PALANWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Diwakar Kumar Yadav S/o Late Anirudh Yadav, R/o Vill.- Sugaha
Satwariya, P.O.- Sugaha Bhawanipur, P.S.- Kangi, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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

03 19-06-2018

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 & 273 of the Indian Penal
Code and Section 30 & 30 (a) of the Bihar Prohibition and Excise
Act, 2016.

345 liters of Nepali liquor and 120 Kgs. of Mahua is
said to have been recovered from the vehicle and petitioner and
one another accused Sri Bind were apprehended.

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 the vehicle in question. He neither happens to be driver nor owner of the said vehicle. He has been falsely implicated in this case by the police merely on suspicion while he was regressing to his house through the place of occurrence at the time of occurrence. He has no criminal antecedent and has been languishing in custody since 02.04.2018.

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 Additional District & Sessions Judge-IV-cum-Special Judge Excise, East Champaran at Motihari in connection with Palanwa P.S. Case No. 28 of 2018.

(Prakash Chandra Jaiswal, J)

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