

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42858 of 2018

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Amit Kumar Yadav @ Amit Yadav, S/o Sri Dukhi Yadav @ Dukhi Ravat,
resident of village – Tarwar, P.O.-Bhedwahia, P.S.-Bhagwanpur Hat,
District-Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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

2 17-07-2018 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, 308 and 420 of the
Indian Penal Code and Sections 30(a) and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

15.375 litres of foreign liquor is said to have been
recovered from an Alto car and co-accused namely Shatrudhan
Yadav was apprehended while rest of the accused persons
managed to escape. The apprehended accused disclosed the name
of the petitioner as one of his fleeing accomplices.

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 vehicle in question. He has been falsely implicated in the case by the apprehended accused Shatrudhan Yadav due to animosity. Barring the aforesaid disclosure, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He was not apprehended on the spot. He has been languishing in custody since 28.05.2018.

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 A.D.J.-II cum Special Judge, Excise Act, Siwan in connection with Bhagwanpur Hat P.S. Case No. 49 of 2018.

(Prakash Chandra Jaiswal, J)

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