

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42304 of 2018

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Lalit Yadav, Son of Ram Prasad Yadav, Resident of Village- Jay Nagar,
P.S. Manigachhi, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vinay Kumar Mishra

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

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 13-07-2018 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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

1669 litres of foreign liquor is said to have been
recovered from the locked room of the Middle School, Chak
Basawan which is said to have been rented out to the contractor
Sanjay Jha by the Headmaster of the School, Budhi Nath Jha for
storing cement. Name of the petitioner has surfaced in the case as
one of the dealer of the said liquor on the basis of the disclosure
made by the villagers.

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 or with any trade of liquor. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the disclosure made by the villagers. Identity and genuineness of the source of information has not been mentioned in the self statement. Petitioner was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 22.05.2018. Headmaster of the school Budhi Nath Jha and co-accused Pankaj Jha have been enlarged on bail by this court vide order dated 29.06.2018 and 21.06.2018 passed in Cr. Misc. Nos. 35446 of 2018 and 34673 of 2018 respectively.

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 Addl. Sessions Judge-IV cum Special Judge, Darbhanga in connection with Manigachhi P.S. Case No. 101 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

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