

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33876 of 2018

Arising Out of PS.Case No. -163 Year- 2018 Thana -JAYNAGAR District- MADHUBANI

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1. Pandav Kumar Yadav, son of Surya Nath Yadav, resident of Village-
Bhelva Tol, P.S.- Jainagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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

03 27-06-2018 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 & 273/34 of the Indian Penal Code
and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

300 liters of Nepali Saufi wine is said to have been
recovered from Tata Magic Van and petitioner who happens to be
driver of the said vehicle and other co-accused Sudhir Kumar
Yadav sitting in the said vehicle 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 with the
seized liquor. He happens to be driver of the said vehicle and had



- 2 -

no knowledge of keeping of the said liquor in the vehicle. He was simply plying the vehicle at the instruction of his owner. He has been falsely implicated in this case at the instance of his enemy. The apprehended accused, namely, Sudhir Kumar Yadav has been enlarged on bail by this Court in Cr. Misc. No. 34584 of 2018 vide order dated 21.6.2018.

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 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani in connection with Jainagar P.S. Case No. 163 of 2018 (G.R. No. 424 of 2018).

(Prakash Chandra Jaiswal, J)

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