

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53132 of 2018

Arising Out of PS. Case No.-84 Year-2018 Thana- RAXAUL District- East Champaran

Raj Kumar Yadav, S/o Raman Yadav, R/o Vill-Saunaha, P.S.-Palanwa,
District-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon
For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

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

ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Raxaul
P.S. Case no. 84 of 2018 registered for the offence punishable
under Section 30(A) of Bihar Excise and Prohibition Act-2016.

90 lts. of Nepali liquor is said to have been recovered
from possession of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with
the seized liquor. He has been falsely implicated in this case by
the police merely on suspicion while he was passing through the
place of occurrence at the time of occurrence and real culprits



managed to escape dumping the aforesaid liquor there seeing the police personnel. Seizure list does not bear the signature of the petitioner. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 06.05.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, East Champaran, Motihari in connection with Raxaul P.S. Case no. 84 of 2018.

(Prakash Chandra Jaiswal, J)

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