

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45646 of 2018

=====

Santosh Prasad Yadav, Son of Devendra Prasad @ Devendra Prasad Yadav,
resident of village – Bela Jitpur, P.S.-Jitna, District – East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Jai Narain Thakur

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 27-07-2018 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 30(a) and 37(b) of the Bihar
Prohibition and Excise Act, 2016.

36 litres of Nepali liquor is said to have been
recovered from the motorcycle of the petitioner and the petitioner
was apprehended while two other accused persons managed to
escape.

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 said motorcycle. He has been
falsely implicated in the case by the police merely on suspicion



while he had gone to attend the call of nature on the bank of Tear River and real culprit managed to escape dumping the aforesaid liquor laden motorcycle there seeing the police party. He has no criminal antecedent. He has been languishing in custody since 23.06.2018.

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 Special Judge, Excise, East Champaran, Motihari in connection with Chhauradano P.S. Case No. 169 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

