

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6581 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- CHHAURADANO District- East
Champaran

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LAWAK YADAV, s/o Late Jokhu Rai, r/o Village - Pachopkhariya, P.S. -
Mahuawa, Distt. East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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

ORAL ORDER

4 06-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Chhauradano P.S. Case No. 45 of 2018 registered under
Sections 272, 273/34 of the Indian Penal Code and Section
30(a),37(b) of the Bihar Prohibition and Excise Act.

125 bottles of Nepali saufi wine is said to have been
recovered from the possession of the petitioner and two F.I.R.
named persons being carried by them on two motorcycles.

It is submitted by the 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 motorcycle in



question. He has been falsely implicated in the case at the instance of his enemies by planting aforesaid recovery from his possession. Though one more case has been lodged against the petitioner but he is on bail on the said case. Prayer for bail of the petitioner has already been rejected by this Court in Cr. Misc. No. 26357 of 2018 vide order dated 03.05.2018 with a liberty to renew the same after framing of charge and now the charge has been framed on 01.12.2018. Petitioner has been languishing in custody since 24.02.2018.

On the other hand learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge, East Champaran, Motihari in connection with Chhauradano P.S. Case No. 45 of 2018.

(Prakash Chandra Jaiswal, J)

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