

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7658 of 2019

Arising Out of PS. Case No.-263 Year-2018 Thana- LADANIA District- Madhubani

Chandan Kumar Yadav, Sex M, age 22 years, Son of Lakshmeshwar Yadav
R/o village- Mahuliya ward no. 3, P.S- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioner and the
State.

The petitioner is languishing in custody since 05.12.2018 in a case registered for the offences punishable under Sections 272 and 273 of the IPC Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that S.S.B. personnel received a secret information that certain persons were carrying illicit liquor from Nepal to India, whereupon, a raid was laid and 10-12 persons were seen entering in Indian territory from Nepal carrying bag on their head. It is further alleged that when they were stopped by SSB personnel, they threw their bags and escaped from the scene, but one person was apprehended, who disclosed his name as Chandan Kumar Yadav (petitioner) and from 32 bags, 4-4 cartoons of 30 bottles each of 300 ml illicit



liquor totalling to 3834 bottles were recovered.

It is submitted by learned counsel for the petitioner that recovery has not been made from the conscious possession of the petitioner and he has been maliciously roped in the present case. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner.

Considering the accusation against 10-12 unknown persons and the investigation being concluded and period under custody, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani in connection with Ladaniaya P.S. Case No.263 of 2018.

(Dinesh Kumar Singh, J)

Rahul/sunilkumar/-

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