

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9543 of 2019

Arising Out of PS. Case No.-580 Year-2018 Thana- NAUTAN District- West Champaran

BISHAMBHAR YADAV @ VISHAMBHAR YADAV Son of Keshu Yadav
Resident of Village - Shyampur Kotraha, P.S-Nautan, Dist.-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 22.11.2018 in a case registered for the offences punishable under Section 414 of the I.P.C. and Sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on the secret information that trafficking of liquor is going on, a raid was laid when two motorcycles were intercepted leading to arrest of petitioner, Bishambhar Yadav and co-accused Guddu Yadav while the other persons managed to escape. The name of the escaped accused surfaced in the statement of apprehended co-accused, Manoj Yadav and Pramod Yadav. 54 litres of Indian made foreign liquor were recovered from one motorcycle and from the other motorcycle also, 44.1 litres Indian made foreign liquor were



recovered.

It is submitted by learned counsel for the petitioner that no recovery has been made from the conscious physical possession of the petitioner and the petitioner is not having any criminal antecedent and he has been framed in this case.

Learned APP submits that the petitioner was arrested from spot, leading to seizure of liquor.

Considering the quantity of recovery, statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and the period under custody, let the petitioner above named be released 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, West Champaran at Bettiah in connection with Nautan P.S. Case No.580 of 2018.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

