

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33802 of 2019**

Arising Out of PS. Case No.-50 Year-2019 Thana- MANIGACHI District- Darbhanga

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Raju @ Rajesh Yadav Son of Shyama Kumar Yadav @ Shyam Yadav
Resident of Village- Jalegar, P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Mr. Arun Kumar

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

ORAL ORDER

2 23-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Manigachhi P.S. Case No. 50 of 2019 registered for the offence
punishable under Sections 272, 273/34 of the Indian Penal Code
and Section 30(a) of Bihar Prohibition and Excise Act-2016.

163 lts. of foreign liquor is said to have been
recovered from the poultry farm of Mohan Ji Yadav, field of
Shivnath Yadav and one Alto car which is said to have been kept
there by the petitioner and several other named accused persons.

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 either



with the seized liquor or with the place of recovery or with any trade of liquor. He has been falsely implicated in this case at the instance of his enemy and due to dirty village politics. There is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent and has been languishing in custody since 25.03.2019.

On the other hand, learned APP for the State 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District Judge-cum-Special Judge, Excise Act, Darbhanga in connection with Manigachhi P.S. Case No. 50 of 2019.

(Prakash Chandra Jaiswal, J)

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