

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33775 of 2019**

Arising Out of PS. Case No.-67 Year-2019 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

=====

MANISH YADAV @ ARDASH KUMAR @ ADARSH KUMAR Son of
Mahesh Yadav Resident of Village - Gularichak, P.S.- Magadh Medical,
District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kiran Sinha

For the Opposite Party/s : Mr.Suman Kumari Singh

=====

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

ORAL ORDER

2 13-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Magadh Medical P.S. Case No. 67 of 2019, registered for
the offences punishable under Sections 147, 148, 149, 323, 504,
307, 353, 337, 338 of the Indian Penal Code and Section 30 (a)
(d) of the Bihar Prohibition and Excise Act, 2016.

Police recovered huge quantity of Mahua flower from
the house of Biral Manjhi and Chalitar Manjhi. When the
informant along with the police force was regressing to the



police station along with seized Mahua flower, 20-25 persons made attack on them. Out of them two persons were apprehended who disclosed the name of the petitioner and other named accused persons as the dealer of the said Mahua flower.

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 Mahua flower or place of recovery or any trade of Mahua flower or with the aforesaid apprehended persons. There is nothing on record to indicate the complicity of the petitioner barring the disclosure made by the apprehended persons due to animosity. He has no criminal antecedent.

On the other hand, learned A.P.P. for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Act, Gaya in connection with Magadh Medical



P.S. Case No. 67 of 2019, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

T.Kr./-

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

