

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34735 of 2019

Arising Out of PS. Case No.-112 Year-2019 Thana- BRAHMPUR District- Buxar

ASHWANI KUMAR YADAV@ASHWINI KUMAR YADAV Son of Udhari
Yadav Resident of Village- Mahuar, P.S.- Brahmpur (Nainijor), District-
Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 18.03.2019
in a case registered for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 8.640 litres of Indian Made Foreign
Liquor were recovered from a wheat crop filed and the
petitioner was apprehended from the place of seizure.

It is submitted by learned counsel for the petitioner that
recovery has not been made from the conscious physical
possession of the petitioner and only on the basis of suspicion,
the petitioner has been 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 the petitioner was apprehended from the place of seizure.

Considering the nature of accusation and the 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 Additional District and Sessions Judge-II-cum-Special Judge (Excise), Buxar in connection with Brahmpur (Nainijore) P.S. Case No. 112 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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