

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61513 of 2019**

Arising Out of PS. Case No.-573 Year-2017 Thana- BARACHATTI District- Gaya

Rajkumar Yadav Son of Tileshwar Yadav Resident of Village - Kahudag,
Police Station- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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

ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in connection with Barachatti
P.S. Case No. 573 of 2017 registered for the offence punishable
under Sections 30(d) of Bihar Prohibition & Excise Act-2016.

100 Kg. Mahua is said to have been recovered from
the motorcycle hailing to the petitioner and he managed to
escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. Petitioner has no concern
with the aforesaid occurrence. Though, the petitioner happens to
be owner of the motorcycle in question but, he had parked the



aforesaid motorcycle at the place of occurrence and had went to market to purchase some articles, in the meantime, some unknown miscreants kept the aforesaid article on his motorcycle and fled away on chase given by the police and petitioner has been falsely implicated in this case merely on suspicion. Petitioner has no criminal antecedent and has been languishing in custody since 25.08.2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner 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 learned Special Judge, Excise Gaya in connection with Barachatti P.S. Case No. 573 of 2017.

(Prakash Chandra Jaiswal, J)

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