

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74859 of 2019

Arising Out of PS. Case No.-243 Year-2019 Thana- BAUNSI District- Banka

=====

Arun Kumar Yadav Son of Bideshi Yadav Resident of Village - Simramore,
P.S.- Bounsi, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Ram Bachan Singh

=====

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

ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bounsi P.S.
Case No. 243 of 2019 registered for the offence punishable
under Section 30(a) of Bihar Prohibition & Excise Act-2016.

555 ml. of foreign liquor and 1 Kg. of Ganja are
said to have been recovered from the rented room of the
petitioner and petitioner was apprehended.

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 with the
seized articles. He has been falsely implicated in this case by the
police at the instance of his enemy by planting the aforesaid



recovery from his possession. There has been violation of Section 100 Cr.P.C. The *Ganja* seized from the room of the petitioner is of small quantity, and moreover, regarding the aforesaid recovery of *Ganja*, one another case vide Bounsi P. S. Case No. 161 of 2019 has been lodged by the police against the petitioner and he has been enlarged on bail in the said case. Petitioner has been languishing in custody since 01.10.2019.

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 Addl. Sessions Judge-II, Banka in connection with Bounsi P.S. Case No. 243 of 2019.

(Prakash Chandra Jaiswal, J)

rohit/-

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

