

In the Court of Additional Sessions Judge-II- Banka
Suiya P.S. case no.- 89/19

Subhash Yadav vs State of Bihar.

22.11.19

This bail petition is filed on behalf of the accused Subhash Yadav, who is in custody since 02.10.19, in connection with Suiya P.S. case no. 89/19, under section 30(a) (d), and 32 of the Bihar prohibition and excise Act, 2016.

The case of the prosecution in short is that on 01.10.2019 at about 10:45 pm the informant along with other police officials was on routine patrol and on 02.10.2019 at about 02:30 am, the police party stopped a bolero jeep bearing registration no. BR 10GB 2344 from which one person managed to escape after seeing the police party but the driver was nabbed by the police who told his name as Subhash Yadav and on search 50 sacks of 50 kgs each mahua flowers was recovered from the aforesaid bolero jeep.

Heard the learned Defence counsel as well as the learned Special P.P. for the State.

Learned Counsel for the petitioner has submitted that the petitioner is innocent and is falsely implicated in this case. It is further stated that no recovery has been made from the possession of this petitioner and the petitioner is not the driver of the seized vehicle he only took lift on the vehicle and he was unaware of the seizure made by the police.

On the other hand, Learned P.P. opposed the bail petition.

In the facts and circumstances of the case and also keeping in mind the amount of seizure made by the police, I am not inclined to grant bail to this petitioner, accordingly this bail application stands rejected.

Dictated

Additional District Judge-II

Banka

Date- 22.11.2019