

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7739 of 2020

Arising Out of PS. Case No.-229 Year-2019 Thana- GHANSHYAMPUR District- Darbhanga

Rajbali Yadav S/o Baidyanath Yadav R/v-Kumai, P.S-Ghanshyampur,
District-Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ajay Kumar, Advocate
For the Opposite Party : Mrs.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 10-06-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Ghanshyampur P.S. Case No. 229 of 2019 for offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent.

Learned counsel appearing on behalf of the petitioner would submit that the petitioner is neither owner of the pick-up van nor he is cleaner of the same. Learned counsel further submits that the petitioner has no concern with the trade of liquor and he has been dragged in this case only on the basis alleged secret information that he is involved in trade of liquor.



Neither the petitioner is involved in transportation of the consignment nor the person arrested has disclosed the name of the petitioner.

Mrs. Rita Verma, learned counsel for the State submits that in the first information report it is said that the petitioner is the owner of the pickup van involved in transportation of liquor. From bare reading of the FIR it appears that submission of Mrs. Verma is incorrect.

Considering the fact that there is no direct material as to involvement of the petitioner in the trade of liquor and the he has no criminal antecedent, this Court is inclined to grant bail to him. Let petitioner, above-named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 2nd cum Special Judge (Excise) Darbhanga in connection with Ghanshyampur P.S. Case No. 229 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and subject to further condition that the petitioner shall render his service as volunteer in the District Health Centre for a period of three months in dedicated Covid hospital. He is required to report the District Nodal Officer in the



concerned region who shall utilise the service of the petitioner
appropriately.

(Anil Kumar Upadhyay, J)

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