

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18863 of 2020**

Arising Out of PS. Case No.-18 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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KRISHRAN KUMAR YADAV @ KRISHNA KUMAR YADAV S/o Late
Jeetan Yadav Resident of Village- Barhi, P.S.- Barhi, Distt- Hazaribag
(Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh

For the Opposite Party/s : Mr. Nand Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 15-05-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through video

conferencing.

The petitioner seeks regular bail in connection with
Excise Complaint Case No. 18 of 2020, registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation against the petitioner, as per the
prosecution report, is that the Excise Officials intercepted one
Maruti Suzuki Swift car, bearing Registration No. JH 02AU-
2219, and recovered 148.620 litres of illicit liquor from the back
seat and dickey of the car in question.

Learned Counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged. He further submits that the petitioner is neither the owner of the car in question nor the driver of the said vehicle. He, referring to the confessional statement of the co-accused Md. Tazuddin, submits that from perusal of the said confessional statement recorded by the police, it would be evident that the petitioner had taken lift in the car in order to reach his home. He further submits that the petitioner has got no criminal antecedent and he is in judicial custody since 01.03.2020.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner is neither the owner nor the driver of the car in question and he is in custody since 01.03.2020, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Banka, in connection with Excise Complaint Case No. 18 of 2020.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding



lockdown and social distancing.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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