

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22479 of 2020**

Arising Out of PS. Case No.-76 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gopalganj

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SHRI RAM YADAV S/o Munnalal Yadav @ Munalal Resident of Village-  
13/104 Nunihai, P.S-Malawar, District-Agara (U.P)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Harendra Prasad  
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      15-09-2020                      Due to COVID-19 Pandemic, the matter is being taken up  
by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’  
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove  
the defects, as pointed out by the Office, within a period of four  
weeks from the date of lifting of the lockdown in the State of Bihar.

Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in a case instituted for the  
offences under Section 22 of N.D.P.s. Act, 1985 and 30(a) of the  
Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 2000 liters of cough  
syrup is recovered.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 6.3.2020 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 2000 liters of cough syrup is recovered which was prohibited in the State of Bihar as per prosecution. The petitioner happens to be driver of the truck in question. He had no knowledge regarding the nature of goods booked by the transporter. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional District & Sessions Judge-cum- Special Judge, Excise, Gopalganj in connection with Excise Case No. 76/2020.

**(Sudhir Singh, J)**

Pankaj/-

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