

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28846 of 2020

Arising Out of PS. Case No.-191 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

SUNIL KUMAR YADAV Son of Jamadar Yadav Resident of Village- Pipari,
P.S.- Derni, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Tarun Prasad Mandal, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Excise Case No. 191 of 2020 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of huge quantity of illicit liquor from a truck and as far as the petitioner is concerned, he is stated to be the co-driver of the truck in question.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in



custody since 21.03.2020. It is further submitted that the petitioner is merely the driver of the truck in question and he was not having any knowledge about the load being carried in the said truck, hence he has got no complicity in the matter.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and he is merely the co-driver of the truck in question as also having regard to the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to 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 7th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Excise Case No. 191 of 2020.

(Mohit Kumar Shah, J)

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