

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11914 of 2021

Arising Out of PS. Case No.-589 Year-2020 Thana- NATHNAGAR District- Bhagalpur
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PANKAJ YADAV Son of Lukho Yadav Resident of Village - Naya Tola
Mirzapur, P.s. - Madhusudanpur (Nathnagar), District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP
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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-07-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Nathnagar
(Madhusudanpur) P.S. Case no. 589 of 2020 registered under
sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act,
2016.

As per allegation in the FIR, 73.8 litres of IMFL was
recovered from a tempo pick-up vehicle near an orchard. It is
stated that the accused persons started to flee away but the
petitioner was caught and he disclosed that he is the driver of
the vehicle.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his person or possession. He has no concern with the tempo pick-up vehicle nor with the recovered liquor. He is in custody since 26.9.2020 and has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and in view of the fact that the petitioner has no criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Nathnagar (Madhusudanpur) P.S. Case no. 589 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District & Sessions Judge-cum-Special Judge Excise, Bhagalpur.

(Partha Sarthy, J)

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