

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32518 of 2021

Arising Out of PS. Case No.-32 Year-2020 Thana- KORANSARAI District- Buxar

ASHOK YADAV Son of Bihari Yadav Resident of Village-Karsar, P.S.-
Nawanagar, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-12-2021 The instant case 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 for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Koransarai P.S. Case No. 32 of 2020, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of huge



quantity of illicit liquor from a truck. The name of the petitioner has transpired in the present case upon disclosure made by the apprehended accused person, who is stated to be the cleaner of the said truck.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The petitioner is stated to be languishing in custody since 5.1.2021. The learned counsel for the petitioner has further submitted that the petitioner is not the owner of the truck in question and moreover, a similarly situated co-accused person, namely, Daya Shankar Singh, has already been granted the privilege of bail by a coordinate Bench of this Court vide order dated 13.8.2021 passed in Criminal Miscellaneous No. 29851 of 2021.

Per contra, the learned APP 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 materials available on record as also considering the fact that the learned counsel for the petitioner has stated that the petitioner is not the owner of the truck, apart from the fact that similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum-Special Judge Excise, Buxar in connection with Koransarai P.S. Case No. 32 of 2020.

(Mohit Kumar Shah, J)

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