

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32157 of 2021

Arising Out of PS. Case No.-235 Year-2020 Thana- HASANPUR District- Samastipur

=====

BABLU YADAV SON OF SHANKAR YADAV R/O VILLAGE- BALAHA,
P.S.- HASANPUR, DISTRICT- SAMASTIPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhimanyu Sharma

For the Opposite Party/s : Ms. Meena Singh

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Hasanpur Police Station Case No. 235 of 2020, registered for
the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is
that the police, on the basis of secret information that the
petitioner, along with co-accused Pinkesh Yadav has brought the
consignment of illicit liquor and has kept it in the vacant field
situated in front of the house of the petitioner, under the stock of
paddy, proceeded towards the place of occurrence and upon
seeing the police party, the accused persons fled away and a
total quantity of 957.6 litres of illicit liquor was recovered from



the said vacant land.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive and no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioner. He further submits that the vacant land, from where the illicit liquor has been recovered, is not owned by the petitioner and similarly situated co-accused, namely, Pinkesh Yadav, has been granted bail by co-ordinate bench of this Court, vide order, dated 04.09.2021, passed in Criminal Misc. No. 38077 of 2021. He next submits that the petitioner is in custody since 19.12.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that illicit liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner, similarly situated co-accused person has been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since 19.12.2020, I am inclined to grant regular bail to the petitioner.



This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Samastipur, in connection with Hasanpur Police Station Case No. 235 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

