

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35333 of 2021

Arising Out of PS. Case No.-54 Year-2021 Thana- KATORIYA District- Banka

=====

PAWAN KUMAR YADAV S/O MAHENDRA YADAV R/O VILLAGE-
TINDOLA, P.S-KATORIYA, DISTRICT-BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.A.G.

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special Case No. 194 of 2021 arising out of Katoriya P.S. Case
No. 54 of 2021 for the offence registered under Sections 30(a),
32(2), 37(b) and 56(D) of the Bihar Prohibition and Excise Act,
2018.

The allegation is regarding recovery of 133.875 litres
of illicit liquor from Tata Sumo vehicle.

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 14.03.2021. The learned counsel
for the petitioner has further submitted by referring to paragraph



no. 8 of the present petition that the petitioner is neither the driver nor the owner of the vehicle in question.

Per contra, the learned counsel 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 petitioner is neither the owner nor the driver of the vehicle in question, I deem it fit and proper to direct for release of the petitioner herein 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 2nd Additional Sessions Judge, Banka in connection with Special Case No. 194 of 2021 arising out of Katoriya P.S. Case No. 194 of 2021.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

