

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40648 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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VIVEK MANI Son of Shyam Naresh Rai Resident of Village - Nayatola
Sarbarpur, P.S. - Aathmalgola, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
	:	Mr. Manoranjan Kumar, Advocate
For the Opposite Party/s	:	Mr.Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned Senior counsel for the petitioner and
Sri Nand Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with
Excise complaint case no. 55 of 2021 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise Act,
2018.

The allegation is regarding recovery of 630 liters of
illicit liquor from a blue-coloured Tata Magic Pick-up van and the
petitioner is stated to be the driver of the said Pick-up van.

The learned Senior 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 is languishing in
custody since 16.04.2021. The learned Senior counsel for the
petitioner has further submitted that the petitioner is merely a driver



of the Pick-up van in question and therefore, he was not aware about the consignment which had been loaded on the said Pick-up van. It is also submitted that the petitioner is not the owner of the Pick-up van in question.

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 parties and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the Pick-up van in question and is languishing in custody since 16.04.2021, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge-II, Banka in connection with Excise Complaint case no. 55 of 2021.

(Mohit Kumar Shah, J)

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