

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44427 of 2021

Arising Out of PS. Case No.-127 Year-2017 Thana- BANKA District- Banka

Fantus Yadav Son Of Bageshwar Yadav @ Bhattu Yadav R/O Village- Siswa,
P.S.- Gogari, District- Banka

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-11-2021 At the outset, learned counsel for the petitioner is permitted to make correction in paragraph 3 of the bail petition.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Sections 30(a)/35(C) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 1088 liters of illegal wine was recovered from the Bolero vehicle. Petitioner's name has figured during course of investigation in confessional statement of co-accused who was arrested on the spot.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way



concerned with the alleged recovery. Petitioner is neither the owner nor the driver of the vehicle in question. Petitioner is in custody since 24.6.2021. Investigation is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioner, let the petitioner, above named, 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 the Additional Sessions Judge II cum Special Judge, Excise Act, Banka in Banka Barahat Police Station Case No. 127 of 2017/ GR No. 516 of 2017.

(Prabhat Kumar Singh, J)

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