

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45624 of 2021

Arising Out of PS. Case No.-149 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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SUNIL KUMAR SON OF ISHWAR YADAV, Resident of Village -
Khairabad, P.s.- Sariya, Distt.- Giridih (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 15-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Case No. 149c2 of 2021, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The allegation is regarding recovery of 225 liters of
illicit liquor from Mahindra Bolero pick up 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 18.4.2021. The learned counsel
for the petitioner has further submitted by referring to
paragraph no. 8 of the present petition that the petitioner is
merely a khalasi of the said pick up vehicle and is neither the



owner nor the driver hence, he was not having knowledge about the consignment having been loaded on the said pick up vehicle.

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 petitioner is neither the owner nor the driver of the pick up van in question and is stated to be languishing in custody since 18.4.2021, 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 A.D.J. 2nd, Jamui in connection with Case No. 149c2 of 2021.

(Mohit Kumar Shah, J)

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