

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34129 of 2020

Arising Out of PS. Case No.-250 Year-2020 Thana- BODHGAYA District- Gaya

MANOJ YADAV S/o Rewa Yadav @ Revu Yadav Resident of Village-
Pandeypur, P.S-Hantarganj, District-Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Humayou Ahmad Khan (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 19-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of Bodh Gaya P.S. Case No. 250 of 2020 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The petitioner is in custody since 18.07.2020. He was apprehended by two police constables with an auto-rikshaw which was carrying 175.25 liters of Indian made foreign liquor. On the information received from the said police constables, the police party is said to have reached there and arrested the petitioner and formally seized the said vehicle which was



carrying huge quantity of illicit liquor.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner does not have any criminal antecedent. He is neither the driver nor the owner of the said vehicle and the seizure has not been made from his possession. He has further submitted that the charge sheet has been submitted and no purpose would be served if the petitioner is allowed to remain in jail any further.

Considering the submission that the petitioner is neither the driver nor the owner of the said vehicle from which the seizure was made and his period of custody since 18.07.2020, this application is allowed.

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 learned Special Judge Excise, Gaya in Bodh Gaya P.S. Case No. 250 of 2020.

(Chakradhari Sharan Singh, J)

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