

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34130 of 2020**

Arising Out of PS. Case No.-117 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Nawada

SHIV YADAV @ SHIV KUMAR YADAV Son of Late Satrugan Yadav  
Resident of Sakin-Phorai @ Porai, P.S.-Harnauth, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                         |
|--------------------------|---|-------------------------|
| For the Petitioner/s     | : | Mr.Raj Kumar            |
|                          | : | Mr.Ranjan Kumar Sharma  |
| For the Opposite Party/s | : | Mr.Bharat Bhushan (APP) |

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

3      04-01-2021      Heard learned counsel for the parties.

This application for grant of regular bail arises out of Complaint G.O. Case No. 117 of 2020 registered for the offence punishable under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act, 2016.

According to the case of the prosecution, from a Mahindra Pick-up van, 930 liters of foreign liquor was recovered, loaded in the trailer of the said vehicle. The petitioner was found present in the vehicle.

Learned counsel appearing on behalf of the petitioner has submitted that he is neither the driver nor the owner of the said vehicle and he was merely a passenger sitting in the



vehicle. He has further submitted that the petitioner has been unnecessarily implicated in this case though he has no connection with the items recovered by the Excise Officials.

Since the petitioner was arrested on the spot from the vehicle, which was carrying huge quantity of illicit liquor, as mentioned above, I am not inclined to grant the petitioner, privilege of regular bail for the present.

The petitioner shall however be at liberty to renew his prayer for bail after six months, if in the meanwhile, there is no progress at the trial.

**(Chakradhari Sharan Singh, J)**

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