

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.655 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- BUXAR INDUSTRIAL District- Buxar

DHIRAJ YADAV @ DHEERAJ YADAV son of Ram Suchit Yadav Resident
of Village- Pratap Sagar, P.S.- Dumraon, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-03-2021 Heard Mr. Rang Nath Choubey, learned counsel for
the petitioner and Mr. Uday Chand Prasad, Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Buxar (Industrial) PS Case No. 171/2020 registered for the
offence punishable under Sections 30(a) of Bihar Prohibition &
Excise Act 2018.

3. The allegation, as per First Information Report, is
that a tempo bearing Registration No. BR44/2277 being driven
by the petitioner was intercepted by the police and total quantity
of 296 litres of illicit liquor kept in fruit cartons were recovered
from the said tempo. It is further alleged that at the instance of
petitioner, seven litres of illicit liquor has been recovered from
an orchard also.

4. Learned counsel for the petitioner submits that



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of the fact that the tempo in question was being driven by him. Learned counsel further submits that illicit liquor was being carried by the passengers who were also arrested along with the petitioner and no illicit liquor has been recovered from the conscious possession of the petitioner. Learned counsel next submits that petitioner has got no criminal antecedent and he is in custody since 13.09.2020 and the charge-sheet in the matter has also been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidences, if he is released on bail.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner having no criminal antecedent is in custody since 13.09.2020 and the charge-sheet has also been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, DHIRAJ YADAV @ DHEERAJ YADAV 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 learned Additional Sessions Judge-II-cum-Special Judge, Buxar in connection with Buxar (Industrial) PS Case No. 171/2020.

7. It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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