

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4832 of 2021

Arising Out of PS. Case No.-174 Year-2020 Thana- DAGARUA District- Purnia

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1. MANOJ KUMAR YADAV @ MANOJ GOP, Son of Siyasharan Yadav @ Siyasharan Gop, Resident of Village - Pathraura, P.S. - Noorsarai, District - Nalanda.
 2. RAKESH KUMAR @ SHIV KUMAR, Son of Shivbalak Yadav Resident of Village - Patuana, P.S. - Biharsharif, District - Nalanda.

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rudal Singh, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-03-2021 Heard Mr. Rudal Singh, learned Counsel for the petitioners and Mr. Ajit Kumar, learned Additional Public Prosecutor for the State.

This application, for grant of regular bail, in connection with Special Case No.422 of 2020 arising out of Dagarua Police Station Case No. 174 of 2020, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report is that a truck was intercepted by the police and a total quantity of 2711 litres of illicit liquor was recovered from the same.

Learned counsel for the petitioners submits that the



petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case merely because the petitioner No.1 is truck driver and petitioner No.2 is Khalasi. Learned counsel next submits that the petitioners are plying vehicle on the instruction of its owner / transporter and they were told to deliver the consignment of banana in Purnea District and were not aware about the illicit liquor being kept inside the said vehicle. Learned counsel next submits that petitioners are in custody since 10.10.2020 and the chargesheet has already been submitted against the petitioners and there is no likelihood that the petitioners will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioners are in custody since 10.10.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioner No.1, Manoj Kumar Yadav and petitioner No.2, Rakesh Kumar @ Shiv Kumar, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Special Judge (Excise), Purnea, in
connection with Special Case No.422 of 2020 arising out of
Dagarua Police Station Case No. 174 of 2020.

(Anil Kumar Sinha, J)

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