

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4099 of 2021

Arising Out of PS. Case No.-342 Year-2020 Thana- SITAMARHI District- Sitamarhi

SANJIV PRASAD YADAV@SANJEEV PRASAD YADAV, SON OF
DINESH YADAV ALIAS DINESH RAI ALIAS DINESH RAY, RESIDENT
OF VILLAGE-VISHRAMPUR, WARD NO.9, POLICE STATION-
SONBARSA, DISTRICT-SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-03-2021

Heard Mr. Vijay Kumar, learned Counsel for the
petitioner and Mr. Nawal Kishore Prasad, learned Additional
Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out
of C2 Case No. 342 of 2020, disclosing offences under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation, as per the prosecution report is that
a total quantity of 138 litres of illicit liquor was recovered from
the possession of the petitioner by the SSB personnel.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case due to oblique
motive. Learned counsel next submits that at the time of search



and seizure, the procedures prescribed under the Excise Act and Section 100 Cr.P.C. have not been followed. Learned counsel next submits that petitioner is in custody since 10.09.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner has got no criminal antecedent and he is in custody since 10.09.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Sanjiv Prasad Yadav @ Sanjeev Prasad 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 Addl. District & Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi, in connection with C2 Case No. 342 of 2020.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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