

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4866 of 2021

Arising Out of PS. Case No.-231 Year-2020 Thana- PHULWARIYA District- Gopalganj

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SANJAY YADAV SON OF SUDARSHAN CHAUDHARY R/O VILLAGE-
KHUSHIYAL CHHAPAR,P.S.-BHORE, DISTRICT- GOPALGANJ.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-03-2021 Heard Mr. Javed Aslam, learned counsel for the
petitioner and Mr. Nawal Kishore Prasad, Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Phulwariya PS (Sripur OP) Case No. 231/2020 registered for the
offence punishable under Section 30(a) of Bihar Prohibition &
Excise Act, 2018.

The allegation, as per First Information Report, is that a
Honda Xcent Car bearing Registration No. DL-IR-TA 8036 was
intercepted by the police and 315.00 litres of illicit liquor was
recovered from the said car. The petitioner along with other co-
accused tried to flee away from the said car but the petitioner was
apprehended while the co-accused succeeded in fleeing away.

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 with oblique motive. Learned
counsel further submits that the petitioner is neither the owner nor the
driver of the said car. Learned counsel next submits that charge-
sheet in the matter has already been submitted and petitioners



are in custody since 30.09.2020 having no criminal antecedents.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is neither the owner nor the driver of the car in question, he is in custody since 30.09.2020 having no criminal antecedents and the charge-sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, namely, SANJAY 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 District & Sessions Judge-II, Gopalganj in connection with Phulwariya PS (Sripur OP) Case No. 231/2020.

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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