

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6290 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- LAUKAHA District- Madhubani

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DEVENDRA YADAV SON OF RAM PRIT YADAV RESIDENT OF
VILLAGE - GHORMOHNA P. S- LALMANIYA, DIST. - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Shubham

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-04-2021 Heard Ms. Kumari Shubham, learned counsel for the

petitioner and Mr. Bharat Lal, learned counsel appearing for the

State through video conferencing.

Petitioner seeks regular bail in connection with
Laukaha P.S. Case No. 31 of 2020 giving rise to G.R. No. 231
of 2020 registered for the offence under Section 272 / 273 of
the I.P.C. and Section 30 (a) of the Bihar Prohibition and Excise
Act, 2018.

The allegation as per the First Information Report is
that a *Sumo Victa* vehicle was intercepted by SSB personnel and
upon seeing the Police party the person who was driving the
vehicle fled away, however, one person sitting next to the
driver's seat was arrested by the Police, who disclosed his name
as Ram Nath Ram and further disclosed that petitioner, who is



the owner of the vehicle was driving and succeeded in fleeing away. Police upon search recovered 450 liters of illicit Nepali liquor from the said vehicle.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of disclosure of his name by the co-accused / Ram Nath Ram and he has been implicated in this case merely because he happens to be the owner of the vehicle. Learned counsel next submits that petitioner has got no criminal antecedent and the vehicle in question was being plied on hire basis by its driver and the petitioner was not aware about illicit liquor being kept therein. Learned counsel next submits that petitioner is in custody since 03.10.2020.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the justification given by the petitioner, further the petitioner is in custody since 03.10.2020 having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular 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 Excise Act, Madhubani in connection with Laukaha P.S. Case No. 31 of 2020 giving rise to G.R. No. 231 of 2020.

It is made clear that 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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