

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35359 of 2021

Arising Out of PS. Case No.-70 Year-2021 Thana- PHULPARAS District- Madhubani

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BABLOO KUMAR YADAV @ BABLOO KUMAR Son of Ram Ratan
Yadav Resident of Village - Bikram Rahi, P.S.- Ghoghardiha, Distt.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate
For the State	:	Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-01-2022 Heard Mr. Gagan Deo Yadav, learned counsel for the

petitioner and Mr. Chandra Bhushan Prasad, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Phulpras P.S. Case No. 70 of 2021 registered for the offence

punishable under Section 30 (A) of the Bihar Prohibition and

Excise (Amendment) Act, 2018.

The Police on the basis of secret information

proceeded towards the place of occurrence and found that two

trucks were standing near the *Dhaba* and upon seeing the Police

party the person standing near the truck started fleeing away.

The petitioner along with five others were arrested and a total



quantity of 4635.360 litres of illicit liquor has been recovered from both the trucks and on co-driver Rishikant Baghel was also arrested.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case by the Police with oblique motive and he has not committed any offence in the manner alleged inasmuch as he had gone for a cup of tea in the *Dhaba* and was arrested by the Police. Learned counsel further submits that the petitioner has got no criminal antecedent and he is neither the owner nor the driver of the trucks from which the illicit liquor was recovered. He next submits that no illicit liquor has been recovered either from conscious possession of the petitioner or from the vehicle belonging to him. The petitioner is in custody since 10.02.2021 and co-accused Rishikant Bhagel @ Rishikant Bansal has been granted bail by this Court in Cr. Misc. 32591 of 2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is neither the owner nor the driver of the truck, he is in custody since 10.2.2021 having no criminal antecedent and one co-accused has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise At, Madhubani, in connection with Phulparas P.S. Case No. 70 of 2021.

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

(Anil Kumar Sinha, J)

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