

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42761 of 2021**

Arising Out of PS. Case No.-74 Year-2021 Thana- SHERGHATI District- Gaya

PRAMOD KUMAR YADAV S/o Jageshwar Yadav R/o village- Jhawadih @
Ajhwadih, P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Ms.Veena Rani Prasad

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 01-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Sherghati (Dobhi) Police Station Case No. 74 of 2021, registered for the offences punishable under Sections 414/349 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that a total quantity of 1144.95 litres of illicit liquor was recovered from a pick-up van, being driven by the petitioner.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely because the pick-up van, in question, was being driven by the



petitioner and he has got no criminal antecedent. He further submits that the vehicle, in question, was a commercial vehicle and the petitioner was plying the said vehicle at the instruction of its owner and he was not aware about the illicit liquor being kept inside the pick-up van. He further submits that the petitioner is in custody since 04.02.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, he is in custody since 07.04.2021, charge sheet has already been submitted and there is no likelihood of the trial being concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Gaya, in connection with Sherghati (Dobhi) Police



Station Case No. 74 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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