

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40120 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- KALER District- Jehanabad

DINESH YADAV S/o Harhangi Chaudhary R/o village- Dumakia, P.S.-
Bhore, District- Gopalganj Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad
Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-04-2022 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Excise Case No. 240 of 2021, arising out of Kaler Police Station
Case No. 15 of 2021, registered for the offence punishable
under Section 30 (a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, as per the First Information
Report, is that from the truck, which was being driven by the
petitioner, a total quantity of 5000 litres of spirit was recovered.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely
because he was driving the truck in question. He next submits
that the petitioner is having no criminal antecedent and was
plying the vehicle at the instance and instruction of its owner



and was not aware about the spirit being kept inside the truck. He further submits that the owner of the truck, in question, has also been made accused in this case. He further submits that the petitioner is in custody since 15.03.2021 and charge sheet has been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is the driver of the truck, charge sheet has been submitted against him and he is in custody since 15.03.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, excise, Jehanabad, in connection with Excise Case No. 240 of 2021, arising out of Kaler Police Station Case No. 15 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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