

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43249 of 2021

Arising Out of PS. Case No.-473 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

PARMATMA KUMAR YADAV S/O BALWANT MAHENDRA YADAV R/O
VILLAGE-BALWANT TOLA, KOTWA PATTI, P.S.-DORIGANJ,
DISTRICT-SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Chaurasia, Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Chapra Mufassil P.S. Case No. 473/2020, registered for the offence punishable under Sections 30(A)/36/41(i) of the Bihar Prohibition and Excise Act and Sections 467/468/471/420/120B of the Indian Penal Code.



The allegation is regarding recovery of huge quantity of illicit liquor from a truck and after the driver and the cleaner of the said truck were apprehended by the police and were interrogated, they had disclosed that the illicit liquor was to be delivered to the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 5.3.2021. The learned counsel for the petitioner has further submitted by referring to paragraph no. 8 of the present petition that the truck in question does not belong to the petitioner. It is further submitted that even the mobile number, which has been disclosed in the FIR, is not registered in the name of the petitioner, hence, the petitioner has been falsely implicated in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the



submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has categorically stated in the present petition that the truck in question does not belong to the petitioner and moreover, the mobile number disclosed in the FIR is also not registered in the name of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ II-cum Special Judge Excise, Saran in connection with Chapra (Saran) Mufassil P.S.Case No. 473/2020.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

