

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44135 of 2021

Arising Out of PS. Case No.-35 Year-2021 Thana- MALI District- Aurangabad

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MANOJ KUMAR YADAV S/o Gowardhan Yadav R/o village- Pahari, P.S.-
Chattarpur, District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Leelawati Kumari

For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State.

The petitioner seeks regular bail in connection with
Mali P.S. Case No. 35 of 2021 registered for the offence
punishable under Section 30 (a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The prosecution case, as per the First Information
Report, is that 152 litres of illicit country-made liquor was
recovered from a Maruti Suzuki car and 1852.5 litres of illicit
liquor was recovered from a pick-up van.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he has not
committed any offence in the manner alleged inasmuch as he
has taken lift in the car, in question. He further submits that he is



neither the owner nor the driver of the Car, in question and was not aware about the illicit liquor being kept therein. He further submits that the driver of the car, namely, Raju Kumar, has been granted bail by this Court, vide order passed in Criminal Misc. No. 43856 of 2021. He further submits that the petitioner is in custody since 09.04.2021 and charge sheet has already 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 submission made by the parties and taking into consideration the materials on record and the fact that the petitioner has got no criminal antecedent, driver of the maruti car has been granted bail by this Court, he is in custody since 09.04.2021, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to pandemic, 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.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II – cum- Special Judge (Excise), Aurangabad, in connection with



Mali P.S. Case No. 35 of 2021, subject to the condition that the bailors must be of Aurangabad district.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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