

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45073 of 2021

Arising Out of PS. Case No.-176 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

=====

Munna Kumar Yadav, Son of Sri Chandrika Chaudhry, Resident of Village -
Barhani Ke Tola, P.S.- Muffasil Thana, District – Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Baijnath Sah, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-02-2022 Heard learned counsel for the petitioner and Md.
Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Excise Case No. 176 of 2021 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018. He is in custody since 16.06.2021 having no criminal antecedent as stated in paragraph ‘3’ of the application.

As per the prosecution story, the informant has alleged that when he along with other police party were on patrolling duty at Belthery Check Post, in the meantime, one Centro Car was stopped and in course of search total 147.240 liters of different brands of illegal wine were recovered and the driver of the said vehicle was arrested on the spot and disclosed



his name as Munna Kumar Yadav (petitioner).

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner is not the owner of the car from which the illicit liquors were recovered, however he is in custody since 16.06.2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that petitioner is not the owner of the seized vehicle from which 147.240 liters of illegal wine is said to have been recovered, he has no criminal antecedent, in connection with the present case he has remained in custody since 16.06.2021, investigation against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Gopalganj in connection with Excise Case No. 176 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal



antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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

