

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48639 of 2021**

Arising Out of PS. Case No.-124 Year-2021 Thana- LAKHNAUR District- Madhubani

LALIT YADAV Son of Lalu Yadav Resident of Village- Mahindbar, P.S.-
Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 03-03-2022 Heard.

The petitioner seeks regular bail in connection with Lakhnaur P.S. Case No. 124 of 2021, registered for the offence punishable under sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act5, 2016.

The allegation is regarding recovery of 135 liters of illicit Nepali wine from a Toyota Quails vehicle. The petitioner is stated to be the driver of the said vehicle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 18.07.2021. The learned counsel for the petitioner has referred to paragraph No. 9 of the present petition to submit that the petitioner is only the driver of the said vehicle in question,



hence, he cannot be saddled with the liability of the illicit liquor seized from the said vehicle in question which has been kept by the owner of the vehicle in question.

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 parties and taking into account the materials available on record as also considering the fact that the petitioner is merely the driver of the vehicle in question and is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Court of Additional Sessions Judge-II cum Special Judge, Excise Act, Muzaffarpur in connection with Lakhnaur P.S. Case No. 124 of 2021.

(Mohit Kumar Shah, J)

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