

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52171 of 2021

Arising Out of PS. Case No.-226 Year-2020 Thana- NAVINAGAR District- Aurangabad

SUKAN YADAV @ RAJENDRA YADAV Son of Bhukhan Yadav Resident
of Village - Ramnagar, P.S.- Nabinagar, Dist.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with
Navinagar P.S. Case No. 226/2020 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

As per the First Information Report the Police
intercepted a Motorcycle on which two persons were riding
and recovered 89.400 litres of illicit liquor from the said
Motorcycle kept in two bags, but, the person who was
driving the Motorcycle along with the pillion rider, was
succeeded in fleeing away. However, the Police identified



them as co-accused Saroj Yadav and Munna Chandrawanshi. It has further been alleged that the petitioner is owner of the Motorcycle in question.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case merely on the basis of the fact that he happens to be the owner of the Motorcycle and from perusal of the First Information Report and the material available on record, it is evident that Motorcycle was being driven by the co-accused and another co-accused was pillion rider. The petitioner is in custody since 16.6.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner was neither the pillion rider nor he was driving the Motorcycle, he is in custody since 16.6.2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, 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.20,000/- (Twenty 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 Nabinagar P.S. Case No. 226/2020.

(Anil Kumar Sinha, J)

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