

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49928 of 2021**

Arising Out of PS. Case No.-30 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Khagaria

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UTTAM KUMAR @ UTTAM YADAV S/o RAM KISHUN YADAV R/o
VILLAGE-BADALPURA, P.S-MATIHANI, DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-03-2022 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 Excise
Case No. 30C3 of 2021 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

A Tata Magic vehicle, which was being driven by the
petitioner, was intercepted by the Excise Officials and a total
quantity of 180 litres of illicit liquor was recovered from the
same.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he has been made



accused in this case merely on the basis of the fact that Tata Magic vehicle was being driven by the petitioner. Learned counsel further submits that the petitioner being the driver was plying the vehicle at the instruction of its owner and was not aware about the illicit liquor being kept there. He next submits that the petitioner is in custody since 17.3.2021 and no illicit liquor has been recovered from his conscious possession.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent, he is in custody since 17.3.2021, 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 Special Judge (Excise), Khagaria, in connection with Excise Case No. 30C3 of 2021.

(Anil Kumar Sinha, J)

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