

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50446 of 2021

Arising Out of PS. Case No.-31 Year-2021 Thana- MADANPUR District- Aurangabad

SUSHIL KUMAR S/o Ramashish Yadav Resident of Village- Chiraiyatand,
P.S.- Madanpur, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishan Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar
For the Opposite Party/s	:	Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-03-2022 Heard the parties.

Petitioner seeks regular bail in connection with General Registration No. 154 / 2021 arising out of Madanpur PS Case No. 31 of 2021 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Police got secret information that petitioner along with other accused persons have brought consignment of illicit liquor through a truck, proceeded towards the place of occurrence and recovered 5180 liters spirit from the truck which was parked on the road.

Learned senior counsel for the petitioner submits that petitioner has got no criminal antecedent and he has falsely been implicated in this case on the basis of alleged information from



spy regarding consignment of liquor brought by the petitioner. He next submits that petitioner is neither the owner nor the driver of the truck and no illicit liquor has been recovered from conscious possession and / or vehicle belonging to the petitioner. Petitioner is in custody since 16/5/2021.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is not the owner nor the driver of the truck in question, no illicit liquor has been recovered from conscious possession of the petitioner, he is in custody since 16-5-2021 and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (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 General Registration No. 154 / 2021 arising out of Madanpur PS Case No. 31 of 2021.

praful/-

(Anil Kumar Sinha, J)

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