

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51012 of 2021**

Arising Out of PS. Case No.-28 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

SHANKAR YADAV S/o LATE KAILASH YADAV R/o VILLAGE-
KURIYA, P.S.-BARARI, DISTRICT-KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2022 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
Jagdishpur P.S. Case No. 28 of 2021 registered for the
offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information
Report, is that the Police intercepted a Bolero pick up van
and recovered a total quantity of 717.960 litres of foreign
liquor including 48 litres of Beer from the same. The
petitioner was driving the said pick up van.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has been implicated in this case on the basis of the fact that at the time of seizure of the illicit liquor, the vehicle was being driven by the petitioner. He further submits that the petitioner was plying the vehicle at the instruction and instance of its owner and he being a driver was not aware about the illicit liquor being kept therein. The petitioner is in custody since 28.1.2021 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 is in custody since 28.1.2021, 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 District and Sessions Judge-II-cum-Special Judge (Excise



Act), Bhagalpur or its successor Court, in connection with
Jagdishpur P.S. Case No. 28 of 2021.

(Anil Kumar Sinha, J)

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