

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54004 of 2021

Arising Out of PS. Case No.-220 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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NANDAN KUMAR YADAV S/O RAMDENI YADAV R/o village-
Kapersndi, P.S.- Turkauliya, District- East Champaran (Motihari), State Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Adv.

For the Opposite Party/s : Ms. Veena Rani Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2022 Heard Mr. Mr. Baijnath Sah, learned counsel for the

petitioner and Ms. Veena Rani Prasad, learned Additional Public

Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with Excise

Case No. 220/2021 registered for the offence punishable under

Sections 30(a) of Bihar Prohibition & Excise Act 2016.

94.040 litres of illicit liquor has been recovered from

a Tempo bearing Registration No. BR-05-GC-1522 which was

being driven by the petitioner.

Learned counsel for the petitioner submits that the

petitioner has got no criminal antecedent and he has falsely been

implicated in this case without any basis. He further submits

that the petitioner is not owner of the tempo in question and he



was driving the same at the instance of its owner on hire basis and the petitioner was not aware about the illicit liquor being kept therein. Petitioner is in custody since 24.07.2021, charge-sheet, in the matter, has been submitted and the trial is not likely to be concluded in near future.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is not the owner of the said vehicle, he has got no criminal antecedent, he is in custody since 24.07.2021, charge-sheet has been submitted and the trial is not likely to be concluded in near future, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, namely, NANDAN KUMAR YADAV be released on bail on furnishing bail bond 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 Act, Gopalganj in connection with Excise Case No. 220/2021.

(Anil Kumar Sinha, J)

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