

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56927 of 2021

Arising Out of PS. Case No.-112 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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LALAN YADAV S/O - Nokhe Yadav Resident of Village - Kharhat, Ward no.
8, P.S. - Sahebpur Kamal, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-05-2022 Heard the parties *via* virtual mode.

Petitioner seeks regular bail in connection with S.
Kamal PS Case No. 112 / 2021 registered for the offence
punishable under Sections 414 / 272 / 273 of the IPC and
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per First Information Report police intercepted a
Pick- Up Van being driven by the petitioner and recovered 279
litres of illicit foreign liquor from the same and arrested the
petitioner, however, two persons succeeded in fleeing away. It is
further stated that upon his disclosure, police raided a spot and
recovered 1701 litres of illicit foreign liquor along with one
motorcycle upon which some cartons of liquor were kept in a
bag.



Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and and he has been implicated in this case merely because he happens to be the driver of the vehicle in question. He next submits that petitioner was driving the vehicle at the instruction and instance of its owner and he was not aware about the illicit liquor being kept therein. It has further been submitted that petitioner has got no criminal antecedent and he is in custody since 25 / 05 / 2021. Learned counsel also submits that charge-sheet has been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail. Learned counsel further submits that similarly situated co-accused / Bikram Kumar (Cr. Misc. No. 49929 / 2021) , Bhagyashali Chaudhary (Cr. Misc. No. 50145 / 2021) and Kundan Singh @ Saurav Raj (Cr. Misc. No.58044 / 2021) have been granted bail by this Court vide order dated 01.04.2022.

Regard being had to the submissions made by the parties, taking into consideration the material on record , the fact that the petitioner is in custody since 25.05.2021 the charge-sheet has been submitted in the matter, there is no likelihood that petitioner will abscond or tamper with the evidence if



released on bail and similarly situated accused have been granted bail by this Court, as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner above named be released on regular bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IInd -cum-Special Judge Excise Act, Begusarai in connection with Sahebpur Kamal PS Case No.112 / 2021.

(Anil Kumar Sinha, J)

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