

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60182 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- PANJWARA District- Banka

Chhote Lal Yadav Son of Nemani Mahto @ Dayali Mahto Resident of Village
- Hathri, P.s.- Sarwan, Distt.- Deoghar (Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard.

The petitioner seeks regular bail in connection with Special Excise No. 640 of 2021 arising out of Panjwara P.S. Case No. 76 of 2021, registered for the offence punishable under sections 30(a), 32(2) of Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 115.125 liters of illicit liquor from a car which was being driven by the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a



clean antecedent and is languishing in custody since 29.08.2021. The learned counsel for the petitioner has referred to Paragraph No. 11 of the present petition to submit that the petitioner is not the owner of the vehicle in question, hence, he was not having knowledge about the contents of the consignment loaded on the said vehicle.

Per contra, the learned APP for the State, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the car in question apart from the fact that he is having a clean antecedent and is languishing in custody since about five months, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like



amount each to the satisfaction of learned court of Additional Sessions Judge-II, Banka in connection with Special Excise No. 640 of 2021 (arising out of Panjwara P.S. Case No. 76 of 2021.

(Mohit Kumar Shah, J)

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