

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53194 of 2022

Arising Out of PS. Case No.-64 Year-2020 Thana- PARASI District- Jehanabad

Naresh Yadav Son Of Late Devnandan Yadav R/O Village- Lodipur, P.S.-
Kinjar, District- Arwal Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Parasi P.S. Case No. 64 of 2020 lodged under Section 30(a) of
the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, total recovery of 1053.44
liter wine is subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 31.05.2022 having
clean antecedent and charge sheet has already been filed in this
case. He submits that the alleged recovery has been made near
the mango garden of Ashok Yadav. There were 2 vehicles
involved in loading of the wine. He also submits from the
seizure list, it transpires that 450 liter wine was recovered from
the Scorpio vehicle and 260 liter wine was recovered from a
mini van. Learned counsel submits that petitioner was not

apprehended from the place of occurrence and his name has come in this case due to virtue of the reason that he is the owner of the mini van, on which 260 liter of alleged wine was recovered.

He submits that petitioner given his van to a transport company and without his permission, it was used for illegal possession for which he can not be held responsible.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Court-2, Jehanabad in connection with Parasi P.S. Case No. 64 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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