

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64881 of 2021**

Arising Out of PS. Case No.-91 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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SANTOSH KUMAR YADAV Son of Rajendra Yadav Resident of Village-
Ojha Bathan, P.S.- Katoriya (Suiya), District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Dutta Verma, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 04-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Excise Complaint Case No. 91 of 2021 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

Learned counsel for the petitioner submits that the
petitioner is in custody since 29.08.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of 433.5 litre of liquor from
a Tata Pick-up Van.

Learned counsel for the petitioner submits that



petitioner is neither the owner nor the driver nor the cleaner of the pick-up van. He was a passenger who had taken lift and, as such, was not aware what was being carried in the pick-up van.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Banka in connection with Excise Complaint Case No. 91 of 2021.

(Satyavrat Verma, J)

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